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STATE DOCUMENTS  
Wm. H. Hall

OCT 28 1974

**MONTANA**  
**STATE HIGHWAY COMMISSION**  
**PLANNING SURVEY**  
**GROSS VEHICLE WEIGHT TAX DIVISION**  

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**GROSS VEHICLE WEIGHT**  
**TAX**  
**LAW AND INSTRUCTIONS**  
**FOR THE**  
**ADMINISTRATIVE AND COLLECTION**  
**AGENCIES**

CHAPTER 219, SESSIONS LAWS OF 1951

AS AMENDED BY

CHAPTER 139, SESSIONS LAWS OF 1953

EFFECTIVE DATE MARCH 2, 1953

MONTANA STATE LIBRARY  
900 East Lynn Avenue  
Helena, Montana 59601

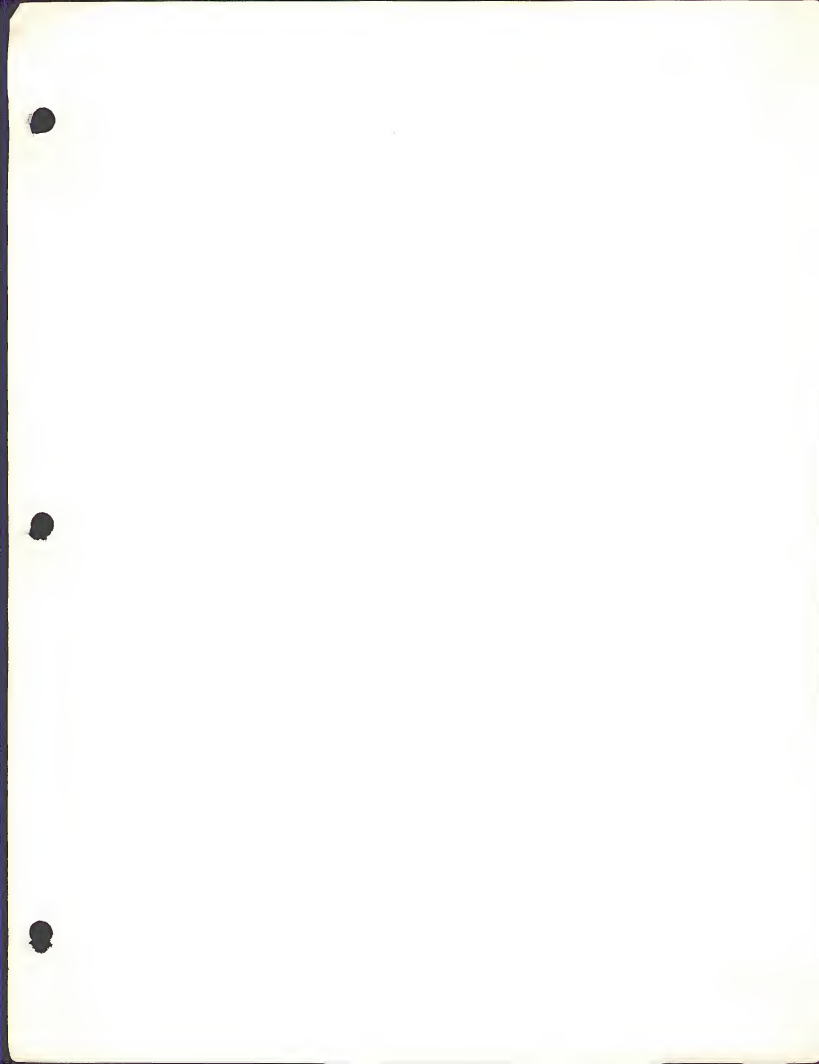
REVISED APRIL 15, 1953

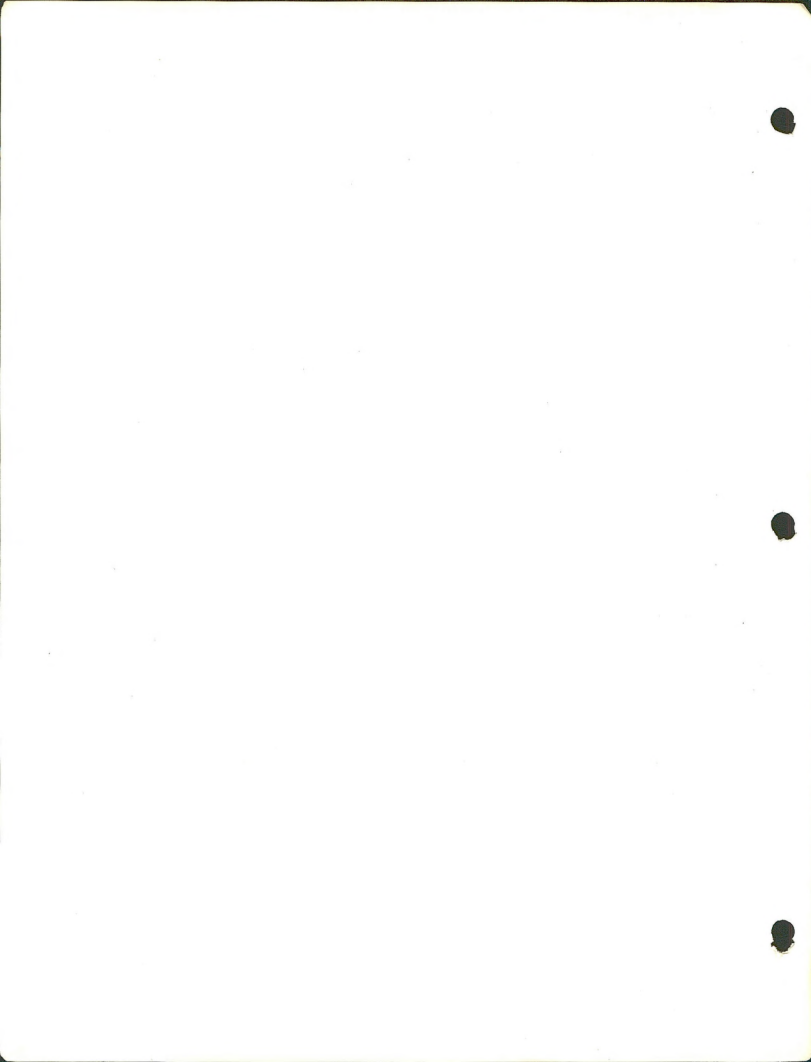
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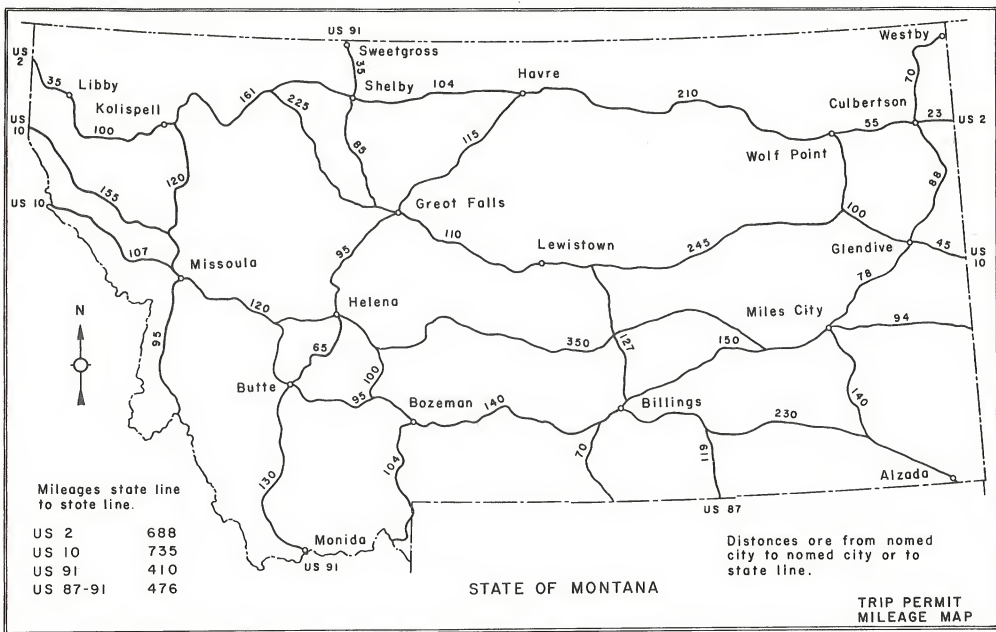
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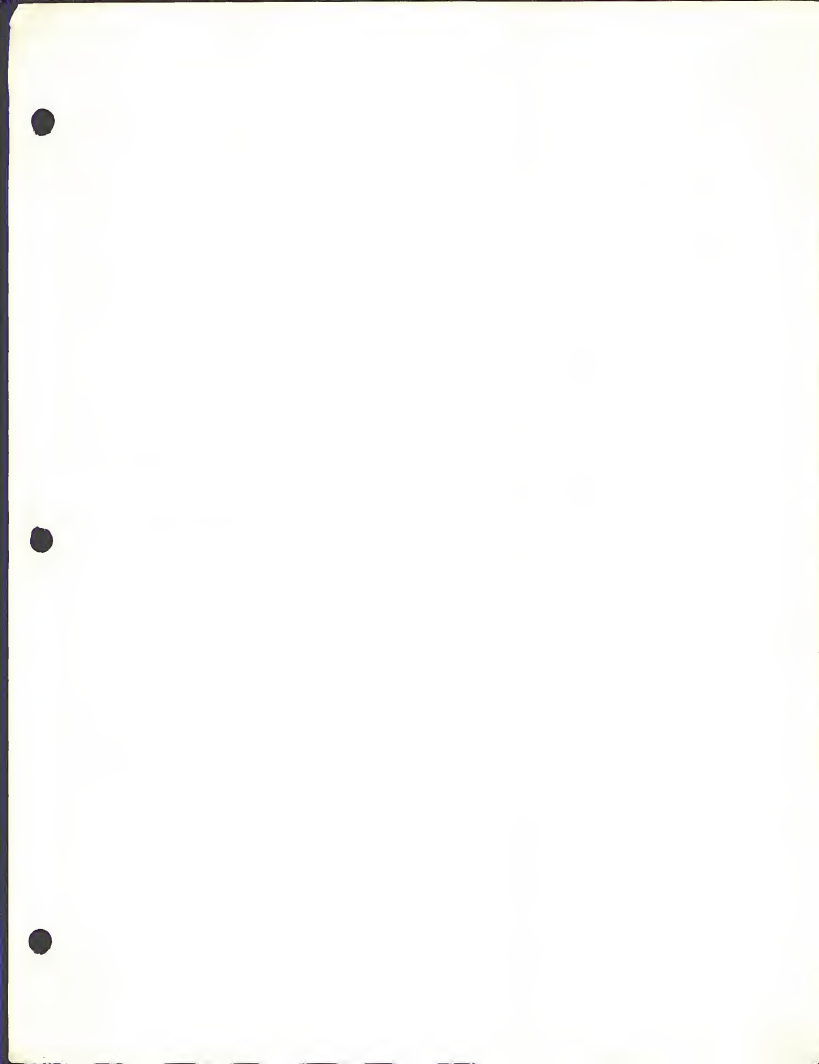
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EFFECTIVE July 1, 1955  
DESTROY ALL PREVIOUS CHARTS

STATE HIGHWAY COMMISSION OF MONTANA  
PLANNING SURVEY

RECIPROCITY STATUS NON-RESIDENT VEHICLES OPERATING ON AN INTERSTATE BASIS

G.V.W. FEES	DEALERS PLATES ON NON-RESIDENT VEHICLES AND COMBINATIONS	STATES AND PROVINCES	LICENSE PLATE FEES	
SEE INSTRUCTIONS A, B, C, D, E	SEE INSTRUCTIONS D, E		SEE INSTRUCTIONS F	INSTRUCTIONS
Not Granted	Trip Permit Required	ALABAMA	Not Granted	A. Each vehicle from States NOT GRANTED reciprocity require a trip permit.
Not Granted	Trip Permit Required	ALASKA	Not Granted	B. Annual G.V.W. Fees may be purchased in lieu of trip permits.
Not Granted	Trip Permit Required	ALBERTA	Not Granted	C. Each vehicle from States GRANTED reciprocity must obtain EXEMPTION PERMIT.
Not Granted	Trip Permit Required	ARIZONA	Not Granted	D. INTRANSIT PLATES are NOT GRANTED reciprocity. Operator must purchase trip permits or comply with Montana Caravan Law.
Not Granted	Trip Permit Required	ARKANSAS	Not Granted	E. Other CARAVAN vehicles NOT GRANTED reciprocity on new or used vehicles unless properly licensed or titled in state of domicile.
Not Granted	Trip Permit Required	BRITISH COLUMBIA	Not Granted	F. Each vehicle from States NOT GRANTED reciprocity must pay license plate fees when paying annual G.V.W. fees only.
Not Granted	Trip Permit Required	CALIFORNIA	Not Granted	
Not Granted	Trip Permit Required	COLORADO	Not Granted	
Not Granted	Trip Permit Required	CONNECTICUT	Not Granted	
Not Granted	Trip Permit Required	DELAWARE	Not Granted	
Not Granted	Trip Permit Required	DIST. OF COLUMBIA	Not Granted	
Not Granted	Trip Permit Required	FLORIDA	Not Granted	
Not Granted	Trip Permit Required	GEORGIA	Not Granted	
Under 24,000#	Trip Permit Required	IDaho	Not Granted	
Not Granted	Granted 2	ILLINOIS	Not Granted	
Not Granted	Granted 3	INDIANA	Not Granted	
Not Granted	Trip Permit Required	IOWA	Not Granted	
Not Granted	Trip Permit Required	KANSAS	Not Granted	
Not Granted	Trip Permit Required	KENTUCKY	Not Granted	
Not Granted	Granted 6	LOUISIANA	Not Granted	
Not Granted	Trip Permit Required	MAINE	Not Granted	
Not Granted	Trip Permit Required	MANITOBA	Not Granted	
Not Granted	Trip Permit Required	MARYLAND	Not Granted	
Not Granted	Granted	MASSACHUSETTS	Not Granted	
Not Granted	Trip Permit Required	MICHIGAN	Not Granted	
Not Granted	Granted	MINNESOTA	Not Granted	
Not Granted	Trip Permit Required	MISSISSIPPI	Not Granted	
Not Granted	Granted	MISSOURI	Not Granted	
Not Granted	Trip Permit Required	NEBRASKA	Not Granted	
Not Granted	Trip Permit Required	NEVADA	Not Granted	
Not Granted	Trip Permit Required	NEW BRUNSWICK	Not Granted	
Not Granted	Trip Permit Required	NEW FOUNDLAND	Not Granted	
Not Granted	Trip Permit Required	NEW HAMPSHIRE	Not Granted	
Not Granted	Trip Permit Required	NEW JERSEY	Not Granted	
Not Granted	Trip Permit Required	NEW MEXICO	Not Granted	
Not Granted	Trip Permit Required	NEW YORK	Not Granted	
Not Granted	Granted	NORTH CAROLINA	Not Granted	
Not Granted	Granted	NORTH DAKOTA	Not Granted	
Not Granted	Trip Permit Required	NOVA SCOTIA	Not Granted	
Not Granted	Granted	OHIO	Not Granted	
2 Trips Per Month	Trip Permit Required	OKLAHOMA	2 Trips Per Mo.	
Not Granted	Trip Permit Required	ONTARIO	Not Granted	
Not Granted	Granted	OREGON	Not Granted	
Not Granted	Granted	PENNSYLVANIA	Not Granted	
Not Granted	Trip Permit Required	PRINCE ED. ISLAND	Not Granted	
Not Granted	Trip Permit Required	QUEBEC	Not Granted	
Not Granted	Trip Permit Required	RHODE ISLAND	Not Granted	
1/2 Fee	1/2 Fees as Required	SASKATCHEWAN	Not Granted	
Not Granted	Trip Permit Required	SOUTH CAROLINA	Not Granted	
Not Granted	Trip Permit Required	SOUTH DAKOTA	Not Granted	
Not Granted	Not Gr't'd for pers'l use	TENNESSEE	Not Granted	
Not Granted	Trip Permit Required	TEXAS	Not Granted	
Not Granted	Trip Permit Required	UTAH	Not Granted	
Not Granted	Granted	VERMONT	Not Granted	
Not Granted	Granted	VIRGINIA	Not Granted	
Not Granted	Trip Permit Required	WASHINGTON	Not Granted	
Not Granted	Trip Permit Required	WEST VIRGINIA	Not Granted	
Not Granted	Granted	WISCONSIN	Not Granted	
Under 6,000#	Granted	WYOMING	Not Granted	

824  
Mont.



STATE OF MONTANA  
**HIGHWAY COMMISSION**

HELENA

August 18, 1955

TO: COUNTY TREASURERS, HIGHWAY PATROLMEN, SHERIFFS, DIVISION  
MAINTENANCE ENGINEERS AND JUSTICES OF THE PEACE

The Registrar of Motor Vehicles has informed this department that all vehicles owned or operated by the following companies shall be required to purchase TEMPORARY TRIP PERMITS OR FULLY LICENSE IN MONTANA.

LYON VAN LINES  
1502 N.E. 33rd  
PORTLAND 13, OREGON

LYON VAN LINES  
2030 DEXTER  
SEATTLE 9, WASHINGTON

BEKINS MOVING AND STORAGE  
1400 - 12th AVENUE  
SEATTLE 22, WASHINGTON

These companies have failed to enter into Froration Agreements with Montana.

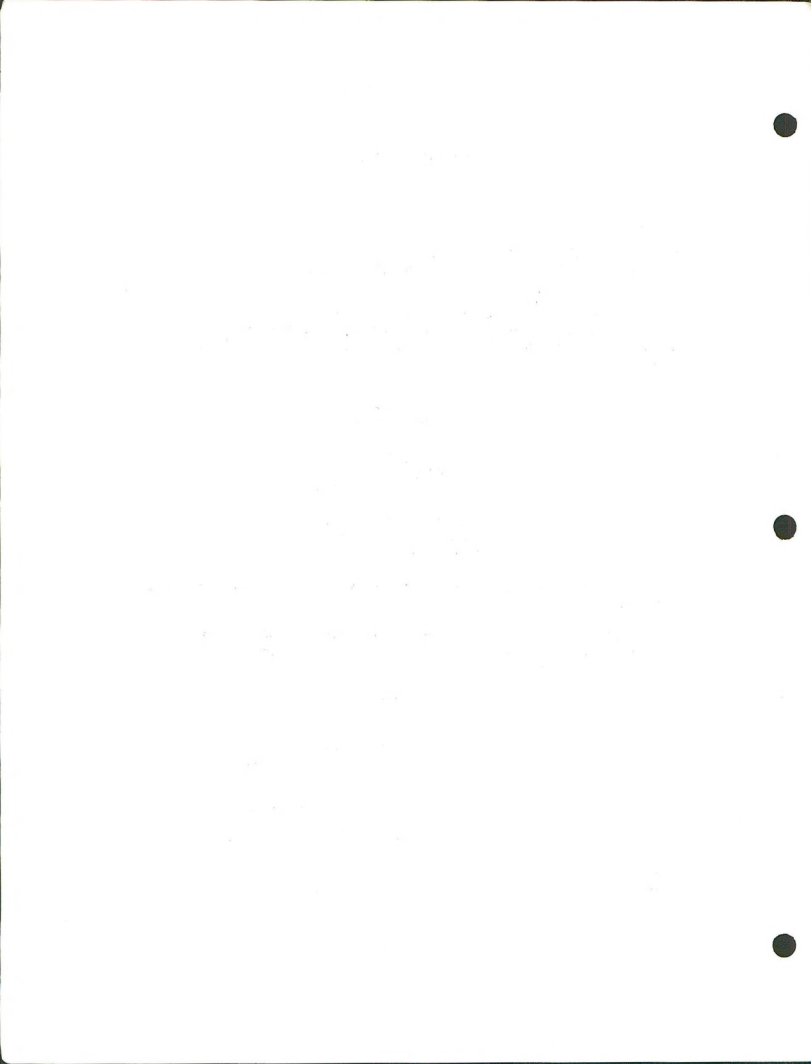
Further, these companies have not applied to the State Highway Commission for a permit for continuous operation of Three Unit Combinations.

Yours very truly,

SCOTT P. HART  
State Highway Engineer

By *Charles S. King*  
Charles S. King  
Planning Survey Engineer

CSK:jp  
WM



STATE OF MONTANA  
HIGHWAY COMMISSION  
Helena

August 2, 1955

TO: COUNTY TREASURERS, SHERIFFS, MAINTENANCE ENGINEERS, WEIGHMEN  
AND JUSTICES OF THE PEACE

Our memorandum of June 22, advised you that B-Line Transport Co., Inc. had not completed their application for Interstate License Proration and that said Company should purchase trip permits.

The Registrar of Motor Vehicles advises that the said Company is now fully prorated, and that compliance with regulations has been accomplished.

Therefore the provisions of the June 22 bulletin are herewith rescinded.

Yours very truly,

SCOTT P. HART  
State Highway Engineer

By *Charles S. King*  
Charles S. King  
Planning Survey Engineer



STATE HIGHWAY COMMISSION

HELENA, MONTANA

JUNE 28, 1955

TO: COUNTY TREASURERS, DIVISION MAINTENANCE ENGINEERS, WEIGHMEN,  
SHERIFFS, HIGHWAY PATROLMEN

TEMPORARY TRIP PERMITS EFFECTIVE JULY 1, 1955

INSTRUCTIONS: Manual Changes

Remove from G. V. W. Manual all old Reciprocity Charts,  
Pages 15, 16, 17, 18, 28a Supplement No. 8, and in Chapter 219,  
Pages vii, viii, ix and x.

Insert new Reciprocity Chart.

Insert new Pages 15, 16, 17, 18, vii, viii, ix and x in  
Chapter 219.

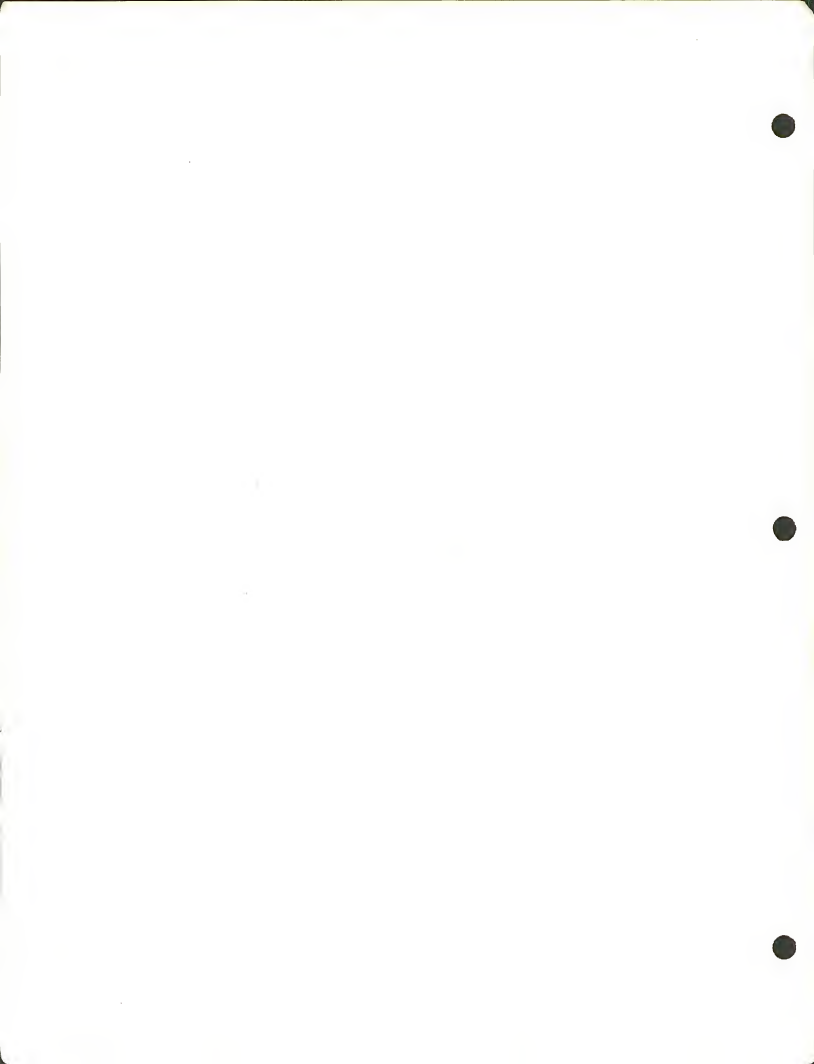
On the lower half of Page vi paste new Section 2 over  
Section 2 printed on Page vi.

Insert after G. V. W. Law, Instructions for issuing Temporary Trip Permits, and methods of reporting. Please study carefully as the procedure of handling is revised.

SCOTT P. HART  
State Highway Engineer

By *Charles S. King*  
Charles S. King  
Planning Survey Engineer

CSK:e  
WM





STATE OF MONTANA  
**HIGHWAY COMMISSION**  
HELENA

April 21, 1955

TO: COUNTY TREASURERS, SHERIFFS, MAINTENANCE ENGINEERS,  
WEIGHMEN AND JUSTICES OF THE PEACE

Information has been received from the Registrar of Motor Vehicles that the T.K.O. Trucking Service Company, 548 First Avenue South, Seattle 4, Washington has cancelled their application for Interstate License Proration.

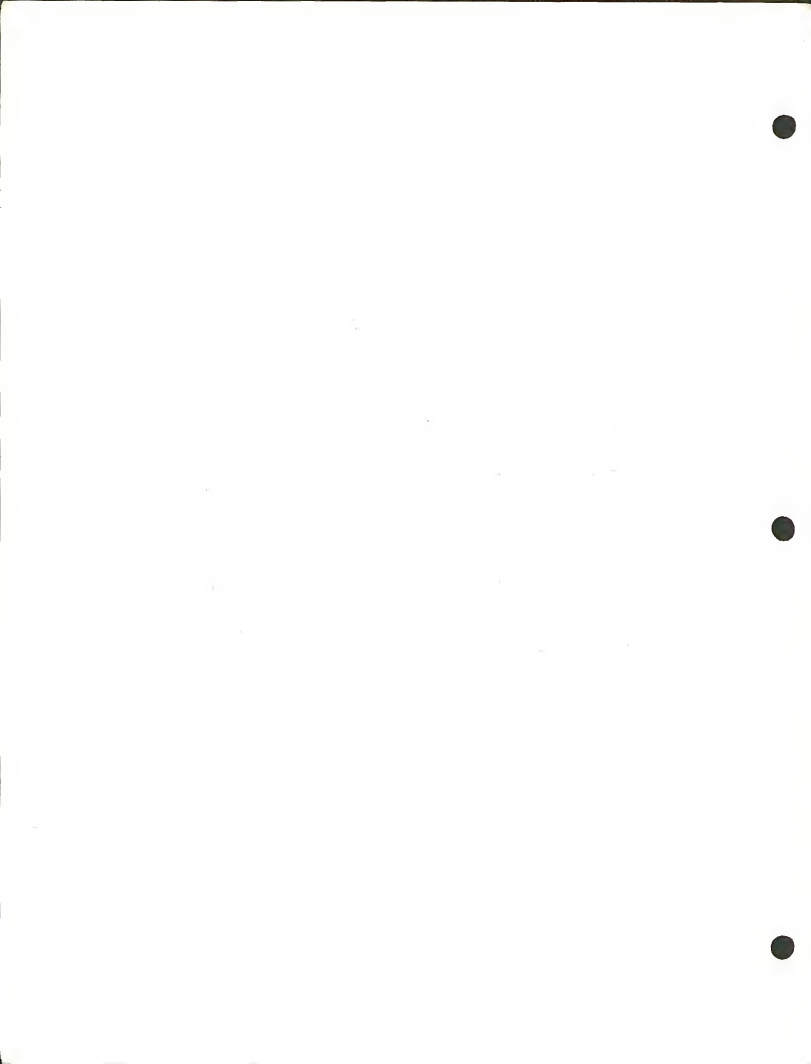
Due to these circumstances all future operation of this Company will require their purchasing trip permits for each trip into Montana. The following equipment was listed as used by this firm:

Unit No. 1,	Peterbilt,	serial NHB363733,	licensed in Washington
Unit No. 2,	Kenworth,	serial 59697,	licensed in Oregon
Unit No. 6,	Freightliner,	serial NHB126691,	licensed in Oregon
Unit No.1A,	Trailmobile,	serial CAL5926,	licensed in Washington
Unit No.2A,	Trailmobile,	serial 221820763,	licensed in Oregon
Unit No.6A,	Trailmobile,	serial 821880152,	licensed in Oregon

SCOTT P. HART  
State Highway Engineer

*Charles S. King*  
By/ Charles S. King  
Planning Survey Engineer

GSK:mvw  
CWM



STATE OF MONTANA  
HIGHWAY COMMISSION

Helena, Montana

July 20, 1955

TO: All County Treasurers, Division Maintenance Engineers, Weighmen,  
Highway Patrolmen and Sheriffs

SUBJECT: Annual Gross Vehicle Weight Fees

It has been brought to the attention of this office that some officials have been using the annual gross vehicle weight fees as set forth in Schedule I and II of Chapter 258, Laws of Montana 1955, amending 53-615 R.C.M. 1947. The fees shown in the above schedules are NOT EFFECTIVE UNTIL JANUARY 1, 1956.

Quarterly fees for vehicles with a registered gross weight in excess 24,000 lbs. are NOT EFFECTIVE UNTIL JANUARY 1, 1956.

Charts and details of procedures in handling these new fees will be sent in advance of the effective date.

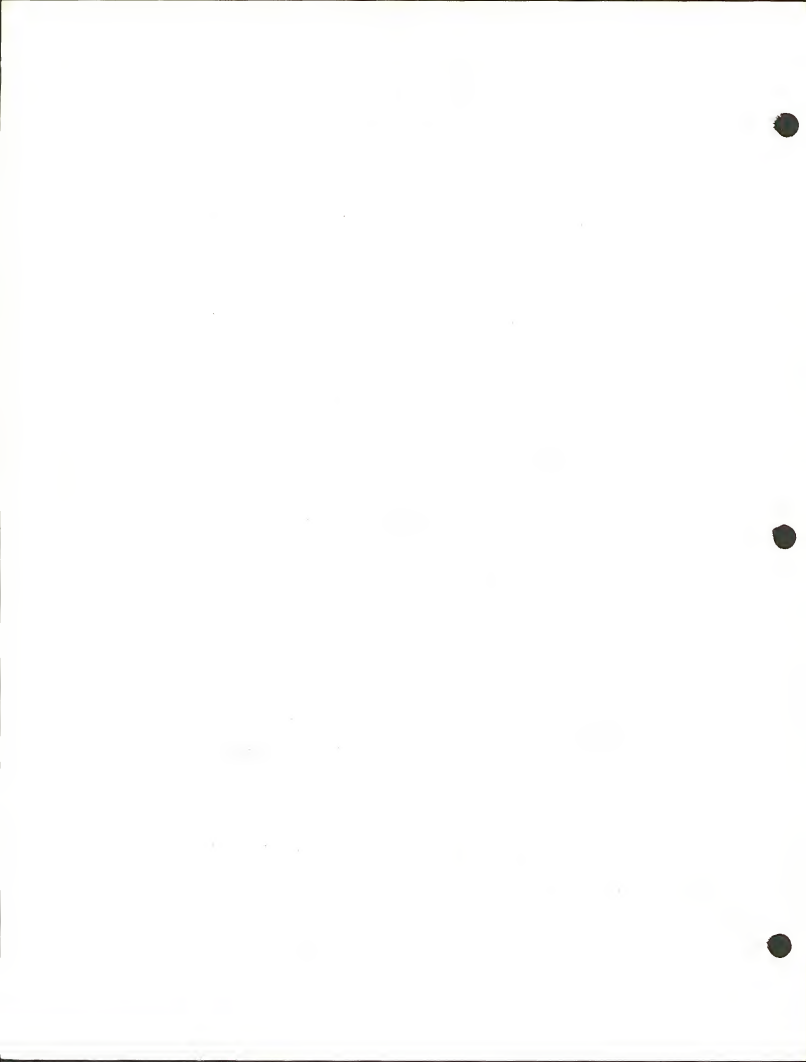
SUBJECT: Temporary Trip Permits

EACH vehicle is to be considered individually when selling trip permits. The reasons for issuing Temporary Trip Permits for each vehicle are listed on the cover of each Permit Book.

For the purposes of issuing Temporary Trip Permits, a truck and trailer are TWO (2) vehicles, a truck tractor and semi-trailer are TWO (2) vehicles and so forth.

Issued by Planning Survey Department

Gross Vehicle Weight Division



June 29, 1955

TO: All Division Maintenance Engineers

SUBJECT: Temporary Trip Permits - Effective July 1, 1955

SUPPLIES: G.V.W.T. Form 1 Revised - G.V.W.T. Form 1C Recap Sheet  
Temporary Trip Permits - G.V.W.T. Form 1D Receipt

Effective July 1, 1955, Temporary Trip Permits and supplies will be handled directly by the Planning Survey G.V.W. Tax Division. Orders for all permits and supplies will be made directly to this office. Please keep ample supplies on hand at all times.

The Temporary Trip Permit, G.V.W.T. Form 1 Revised is printed in sets of four. The original is marked "Permittee Copy" and is to be given to the purchaser. This copy has a strip of glue across the top for posting on windshield. This will eliminate the use of G.V.W.T. Stickers 1 A and 1 B. The first copy is marked "Highway File" and is to be retained for Division Office records. The second copy is marked G.V.W.T. Division and is to be delivered to the County Treasurer for remittance by them with their monthly report. The third copy is marked "Issuers File" and is to be retained by the seller for his record.

Recap Sheet Temporary Trip Permits Form 1 C is printed in sets of four. The original is marked "Division Office" and is to be retained for Division office files. The first copy is marked "County Treasurers Copy" and is to be retained by the County Treasurer for their files. The second copy is marked "G.V.W.T. Division Helena" and is to be mailed to the G.V.W.T. Division at Helena when remittance is made to the County Treasurer. The third copy is marked "Remittor" and is to be retained by the party making the remit-

tance to the County Treasurer. Please be sure that the County Treasurer receipts all copies. Money received from permits should be remitted immediately to the County Treasurers, or as soon as circumstances permit. Void permits must be shown on remittance sheets as void, and original mailed to the G.V.W. Tax Division with their copy of Form 1 C.

Form 1 D is self-explanatory and is to be used for a receipt from the Division employees receiving books from Division offices.

Punches are included or will be forwarded under separate cover, If more punches are required, notify this office.

All permits are serially numbered and must be accounted for at all times.

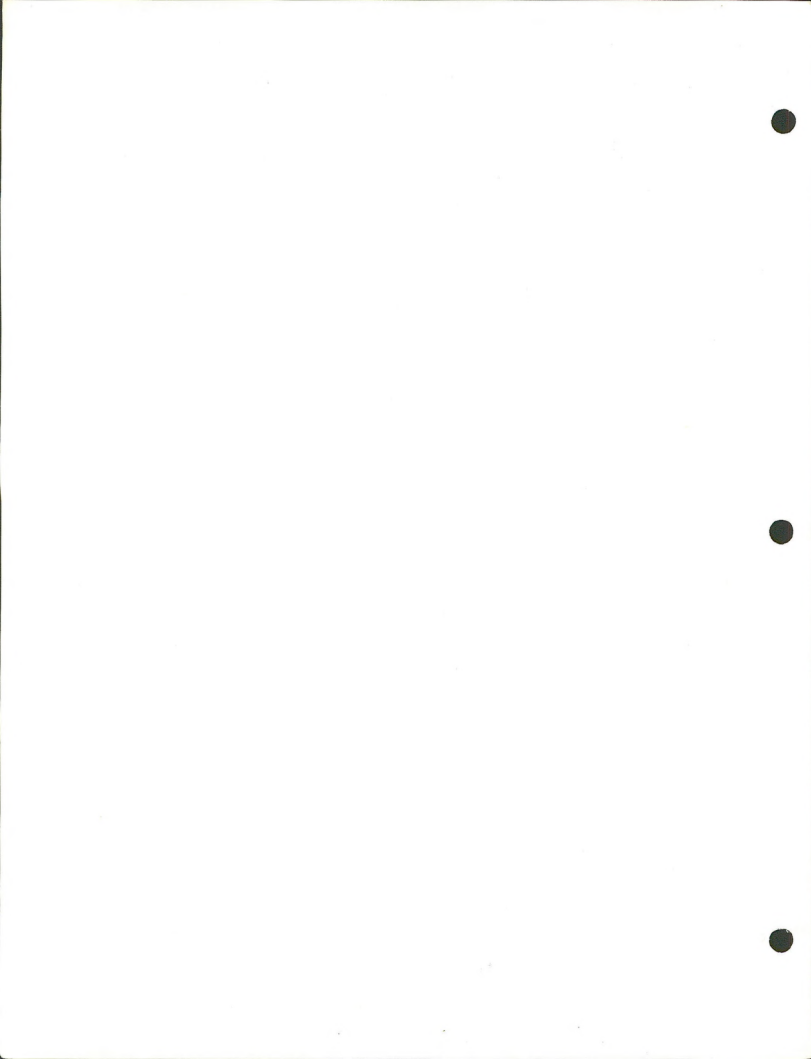
Please be sure that all permits sold are punched as to type of vehicle, distance for which fees are collected and the date issued. This is very important.

On the line titled "Check Reason Issued" mark number corresponding with reasons listed inside cover of book. Any special information necessary write in line titled "Remarks."

Covers from Temporary Trip Permit books are to be mailed to the Gross Vehicle Weight Tax Division, Planning Survey, Helena, as soon as all permits are sold from the book.

REQUIREMENTS FOR  
REGISTRATION AND GROSS VEHICLE WEIGHT LICENSES

1. New vehicle units not previously registered require new applications.
2. Owners must present previous year registration receipts.
3. All trucks and trailers registered or re-registered must have application cards completely filled in.
4. Applicant is to declare his gross vehicle weight and state his occupation.
5. Units operating with M, R, C. plates or similar plates from other states must notify county officials if they haul INTERSTATE or INTRASTATE.
  - a. INTRASTATE operators must be registered in Montana and obtain necessary plates upon payment of fees.
  - b. Applicant is to state whether he is a common or contract carrier operating under M, R, C. regulations.
  - c. Privately owned trucks or trailers will not be classed as types of carriers on the registration card. Such units will be coded only as to type of vehicle and style of body.
6. Resident owners of vehicles in Montana, upon application, will be issued license plates and must obtain exempt G. V. W. stickers, or pay the fees listed under the Gross Vehicle Weight Tax Law.
7. Non-residents of Montana, required to register motor vehicle units in Montana, must obtain licenses upon application, as provided in Item 6.
8. Non-residents of Montana, not required to register motor vehicles in Montana, must:
  - a. Pay regular G. V. W. Tax fees as set forth by law, or
  - b. Purchase itinerant trip permit for each single unit or combination of units over 6,000 lbs., or
  - c. Obtain exempt stickers, if qualified.
9. MARKING OF GROSS VEHICLE WEIGHT shall be in letters at least two inches (2") high. Decal or the painted insignia on BOTH SIDES of a vehicle shall read "UNDER 20,000#", etc., or "A, UNDER 20,000#".
  - a. If registered and taxed as a farm, logging, or livestock vehicle, the words "Farm Vehicle", "Logging Vehicle", or "Livestock Vehicle" shall be added in addition to the gross vehicle weight.
  - b. Busses used as auto stages and/or to haul freight shall have the G. V. W. insignia, as specified, on BOTH SIDES.
  - c. Passenger busses shall have painted, on BOTH SIDES, the maximum seating capacity, and not the seating capacity actually paid for under the Gross Vehicle Weight Tax Law.
  - d. Special \$5.00 units shall be marked "SPECIAL G.V.W." on BOTH SIDES.



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STATE OF MONTANA HIGHWAY COMMISSION

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PLANNING SURVEY  
GROSS VEHICLE TAX DIVISION

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HELENA, MONTANA

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INSTRUCTIONS FOR

GROSS VEHICLE WEIGHT TAX LAW

as set forth in

CHAPTER 219, 1951 SESSION LAWS  
AS AMENDED BY CHAPTER 139, 1953 SESSION LAWS

EFFECTIVE DATE MARCH 2, 1953  
REVISED APRIL 15, 1953

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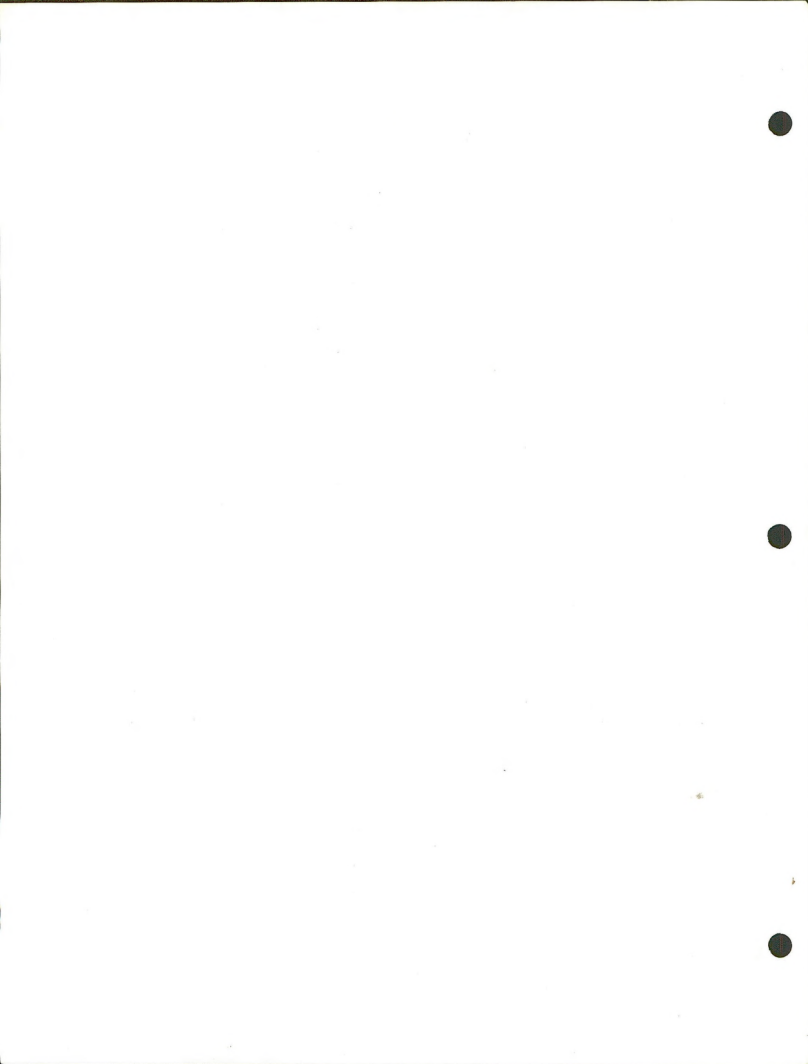
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Compiled by M. J. Rodocay, Research Supervisor  
Under the Direction of  
Henry C. Helland, Planning Survey Engineer

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This pamphlet assembles the definition of terms, supplementary regulations, Attorney General's opinions, explanatory license forms, methods of reporting the collections, disposition of revenue and the number of units taxed (for statistical purposes) and other data deemed necessary to assist the Collection Agencies, the Enforcement Officers and the Administrators of the Gross Vehicle Weight Tax Law. This manual has been approved by the Montana State Highway Commission and reviewed by the Montana State Attorney General's Office.



### COLLECTING AGENCIES

The County Treasurers shall be the collecting agents for this tax, assisted in the sale of licenses by the Sheriffs of the 56 counties and members of the Montana Highway Patrol. The latter two may sell specified G. V. W. T. Licenses and then remit daily the monies collected, as well as all records, to the County Treasurers.

Although the law is specific in stating that Sheriffs of the Counties, and the Highway Patrolmen may sell G. V. W. T. licenses, it is requested that the same shall refrain from license sales during business hours of the Treasurer and refer all applicants to the County Treasurers, unless such offices are closed for the transaction of business. When licenses are issued by the Sheriff's office or by a Highway Patrolman, he must daily remit all revenue to the County Treasurer. The County Treasurer shall properly keep a record of such sales and issue a receipt as necessary. This method will eliminate accounting discrepancies and allow the County Treasurer to keep records current.

### DISPOSITION OF FEES

The County Treasurers will remit 95% of the revenue monthly to the State Treasurer, who shall credit the same to the State Highway Fund. The remaining 5% of the tax shall be deposited to the County General Fund and the same shall be budgeted to the County Treasurers for expenditure in the collection of the G. V. W. T. Law.

### ENFORCEMENT AGENCY

Section 10 of Chapter 219 states: "It shall be the duty of the Montana State Highway Patrol to enforce the provisions of this Act and each member thereof

is to make examinations and inspections of trucks, trailers and semi-trailers, busses or automobiles operating upon the highways in this State, to ascertain whether or not the provisions of this law have been complied with."

In addition, all motor vehicle operators must carry their registration cards at all times, as provided in Chapter 115, Session Laws of 1953.

#### ADMINISTRATIVE AGENCY

The Montana State Highway Commission shall be the administrative agency for the G.V.W.T. Law. This agency shall provide all County Treasurers with application forms, licenses, etc., and to keep such records that will assist in administration of this Act.

#### DEFINITIONS

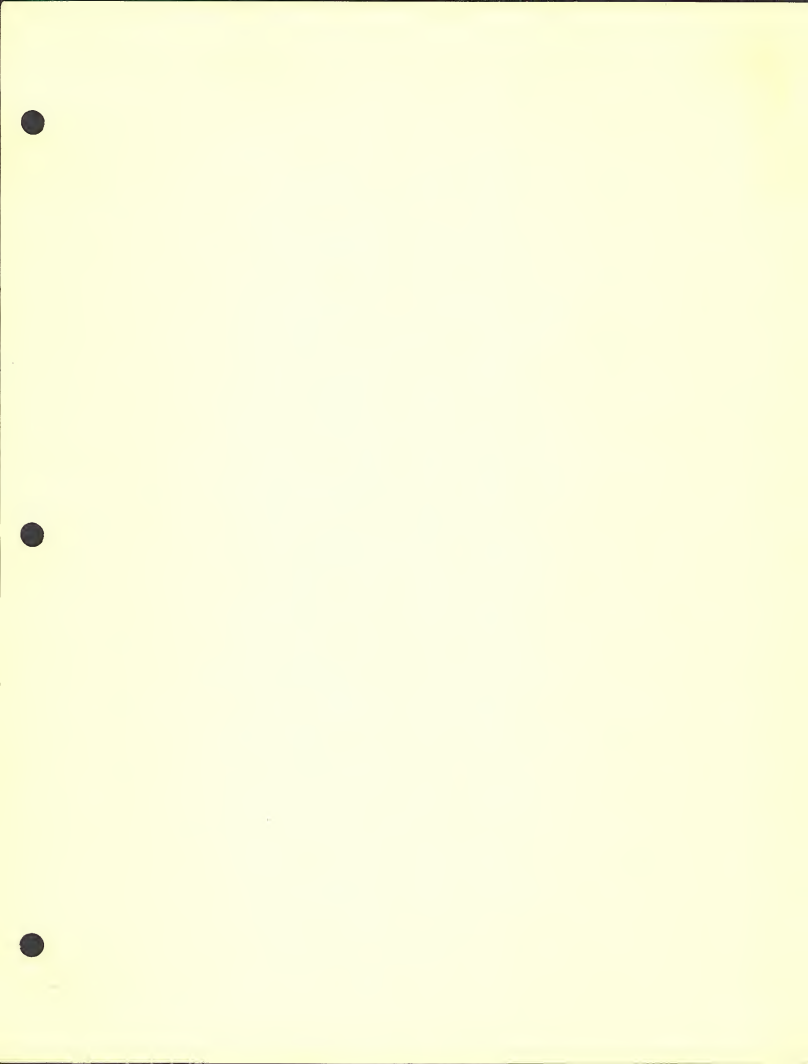
1. "G. V. W. T."

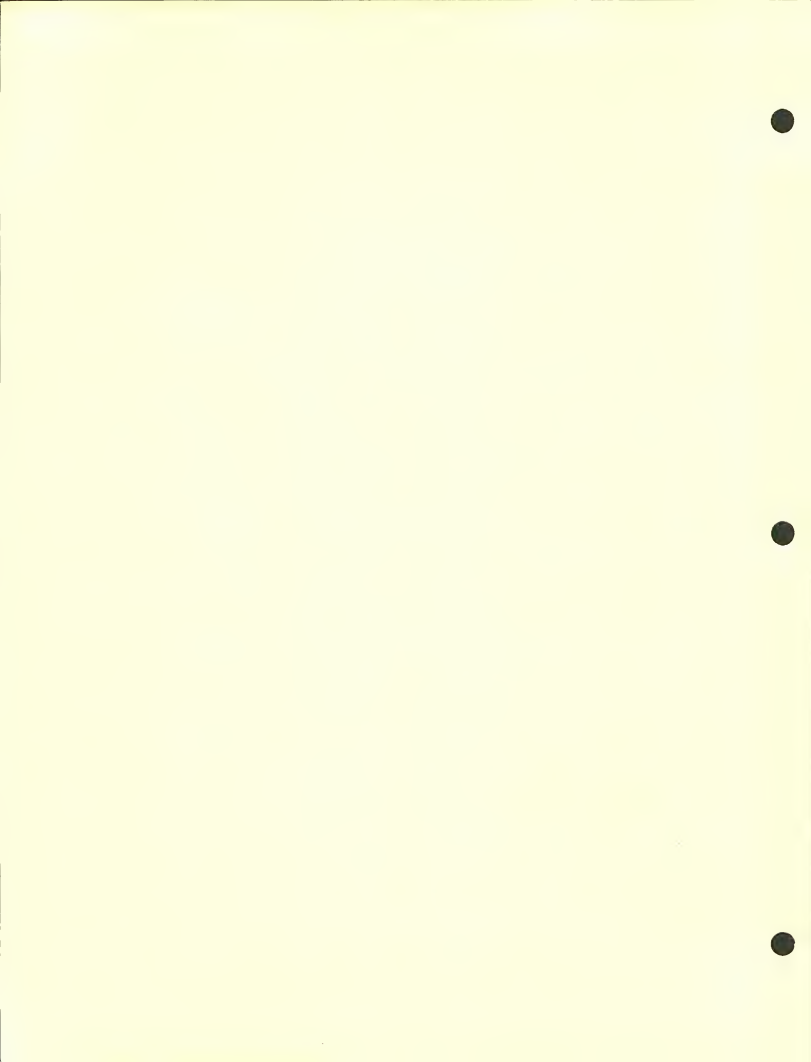
G. V. W. T., as noted herein and where used on forms or licenses, is the abbreviation for Gross Vehicle Weight Tax, Chapter 219 of the 1951 Session Laws, as amended by Chapter 139 of the 1953 Session Laws.

2. "GROSS VEHICLE WEIGHT"

Gross Vehicle Weight is the total unladen vehicle weight plus the load hauled and includes all of the additional attachments, extra axles or other miscellaneous fixtures that may be attached to the vehicle units.

a. Unladen Weight. The unladen weight of a vehicle is the weight of the vehicle equipped and ready for operation on the road including the body, fenders, oil in motor, radiator full of water, with five gallons of gasoline or equivalent weight of other motor fuel; also accessories required by law such as lamps and signals and those special cabinets, boxes and body parts permanently at-





tached to the vehicle, but excluding any load or any machinery or mechanical apparatus (such as wood saws, well-drilling machines, spray apparatus, tow car cranes, grinding equipment, and transit-mix cement equipment, which is not a regular part of a motor vehicle but which may be attached to the body or chassis or connected with the driving mechanism which shall be regarded as a part of the load but not a part of the unladen weight of the vehicle). Unladen weight as defined herein shall have no application to or bearing upon any fee under this law, only as combined with the total pay load included.

3. "VEHICLE"

A vehicle is a device in, upon or by which any person or property is or may be propelled, moved or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

4. "MOTOR VEHICLE"

A motor vehicle is a vehicle which is self-propelled, upon all public highways.

5. "COMMERCIAL VEHICLE"

A commercial vehicle is a vehicle of a type required to be registered hereunder; used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

6. "MOTOR TRUCK"

A motor truck is a motor vehicle, self-propelled under its own motive power, designed, used or maintained primarily for the transportation of property.

7. "NEW PASSENGER MOTOR VEHICLE"

The term will apply to all models purchased within or out of the State of

Montana and which have not been assessed or subject to assessment prior to January 1 of<sup>f</sup> any year, and will include all previous year unused cars which have not been registered, or shown on the dealers' inventory of December 31 of any year. (See Attorney General's Opinion No. 70, Volume 23, issued November 19, 1949.

8. "SEAT"

Seat, as defined herein, is the place at, the space or area, or part of any space or area on which one person sits, or a space approximately 18 inches in width.

9. "SPECIALLY CONSTRUCTED VEHICLE"

A specially constructed vehicle is a vehicle of a type required to be registered hereunder not originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles.

10. "RECONSTRUCTED VEHICLE"

A reconstructed vehicle is a vehicle of a type required to be registered hereunder materially altered from its original construction by the removal, addition or substitution of essential parts, new or used.

11. "FOREIGN VEHICLE"

A foreign vehicle is a vehicle of a type required to be registered hereunder brought into this State from another State, Territory or Country other than in the ordinary course of business, by or through a manufacturer or dealer, or any person, firm, or corporation, and not registered in this State.

12. "ESSENTIAL PARTS"

Essential parts are all integral and body parts of a vehicle of a type required to be registered hereunder, the removal, alteration or substitution of which would tend to conceal the identity of the vehicle or substantially alter its

appearance.

13. "SPECIAL MOBILE EQUIPMENT"

Special mobile equipment is a vehicle not designed or used primarily for the transportation of persons or property, and only incidentally operated or moved over a highway, excepting implements of husbandry, unless such vehicles are requested to be registered by the owner.

14. "TRUCK TRACTOR", "FARM TRACTOR", AND "ROAD TRACTOR"

a. A truck tractor is a motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

b. A farm tractor is a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

c. A road tractor is a motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

15. "TOW CAR"

A tow car is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing or is otherwise exclusively used to render assistance to other vehicles.

a. Wrecker. A wrecker is defined as a device used for construction purposes and in this Act shall not refer to motor vehicles classified or defined as tow cars.

16. "TRAILER"

A trailer is every vehicle without motive power designed for carrying

persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

17. "FARM WAGON"

A farm wagon is a vehicle without active power designed for carrying property solely upon farm lands and not to be used for the transportation of property upon any highway within the State, and if so used, it must be registered and licensed as a trailer.

18. "SEMI-TRAILER"

A semi-trailer is every vehicle without active power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests on or is carried by another vehicle.

19. "TRAILER COACH", OR "HOUSE TRAILER"

A trailer coach or a house trailer is a vehicle without motive power designed for human habitation and for carrying persons and property on its own structure and for being drawn by a motor vehicle.

20. "POLE OR PIPE TRAILER"

A pole or pipe trailer is a vehicle without motive power having one or more axles and two or more wheels, used in connection with a motor vehicle solely for the purpose of transporting poles, timbers, pipe or structural material and connected with the towing vehicle both by chain, rope, cable or drawbar, and by the load without any part of the weight of said dolly resting upon the towing vehicle.

21. "BUS"

A bus is every motor vehicle equipped for carrying and transporting passengers and baggage for compensation or otherwise, other than taxicabs,

and shall pay seven dollars (\$7.00) annually per seat, exclusive of the first seven seats and the operator's seat.

22. "AUTO STAGE"

An auto stage is every motor vehicle equipped for carrying and transporting passengers and freight, other than taxicabs, and shall pay the Gross Vehicle Weight Tax fees based on the declared gross weight of the vehicle.

23. "SCHOOL BUS"

A school bus is defined as a motor vehicle regularly used for the transportation of pupils to and from school or to and from school activities and owned either by any school district or by any person, firm, association, partnership, or corporation, and shall be exempt from this Act unless engaged in charter service, as defined on page 20 of this manual.

24. "TRIP"

A trip as defined in this Act means a journey, or going from one place to another with termini extending from a point of beginning to a specified destination and return over the same or a described route suited to the amount of fees paid for the extended mileage, and shall be the total number of miles traveled in the State of Montana.

25. "AXLE"

An axle is a structure or portion of a structure consisting of one or more shafts, spindles or bearings in the same vertical transverse plane by means of which, in conjunction with wheels mounted on said shafts, spindles, or bearings, a portion of the weight of a vehicle and its load, if any, is continuously transmitted to the roadway when the vehicle is in motion.

26. "PNEUMATIC TIRE"

A pneumatic tire is a tire inflated or capable of inflation with compressed air.

27. "SOLID TIRE"

A solid tire is a tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

28. "METAL TIRE"

A metal tire is a tire of which the surface in contact with the highway is wholly or partly of metal or other hard, non-resilient material.

29. "TRANSFeree"

A transferee is a person who has acquired the sole ownership of or an equity in a vehicle of a type required to be registered hereunder.

30. "PERSON"

Person includes a natural person, firm, co-partnership, association, or corporation.

31. "OWNER"

Owner is a person having all the incidents of ownership, including the legal title of a vehicle, whether or not such person lends, rents or pledges such vehicle; the person entitled to the possession of a vehicle as the purchaser under a conditional sale contract; the mortgagor of a vehicle; or the State, or any County, City, district or political sub-division of the State, when entitled to the possession and use of a vehicle under a lease, lease-sale, or rental-purchase agreement for a period of 12 months.

32. "REGISTERED OWNER"

Registered owner is a person registered by the Registrar of Motor Vehicles as the owner of a vehicle.

33. "RESIDENT"

Resident shall mean every person, firm, partnership, association, or corporation who engages in intrastate business within this State and operates in any such business any motor vehicle, trailer, or semi-trailer in this State or who, even though engaged in interstate commerce, maintains any such vehicle in this State, or who is gainfully employed in this State and is domiciled or has an established business headquarters in this State.

34. "NON-RESIDENT"

Non-resident shall mean every person, firm, partnership, association or corporation organized in any other state or territory, who does not engage in intrastate business within this State; who has not sojourned or became engaged in any gainful occupation; or who has not operated or does not operate any motor vehicle, trailer, or semi-trailer on an intrastate basis.

35. "DRIVER"

Driver is a person who drives or is in actual physical control of a vehicle.

36. "OPERATOR"

Operator is a person other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway.

37. "CHAUFFEUR"

Chauffeur is a person who is employed by another for the principal purpose of driving a motor vehicle on the highways and receives compensation therefor.

38. "STREET" OR "HIGHWAY"

Street or highway is a way, or place, of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel.

39. "ROADWAY"

Roadway is that portion of a public highway improved, designed or ordinarily used for vehicular travel.

40. "DEPARTMENT"

Department, as referred to herein, is the Montana State Highway Department.

41. "COMMISSION"

Commission, as referred to herein, is the Montana State Highway Commission.

42. "DEALER"

The term dealer shall mean and include any person, firm, or corporation engaged in whole or in part in the business of buying, selling, repairing, and reconditioning either new or used motor vehicles or both.

43. "MANUFACTURER"

Manufacturer shall include any person, firm, corporation, or association engaged in the manufacture of any motor vehicles, trailers, or semi-trailers as a regular business.

ADMINISTRATIVE PRACTICES

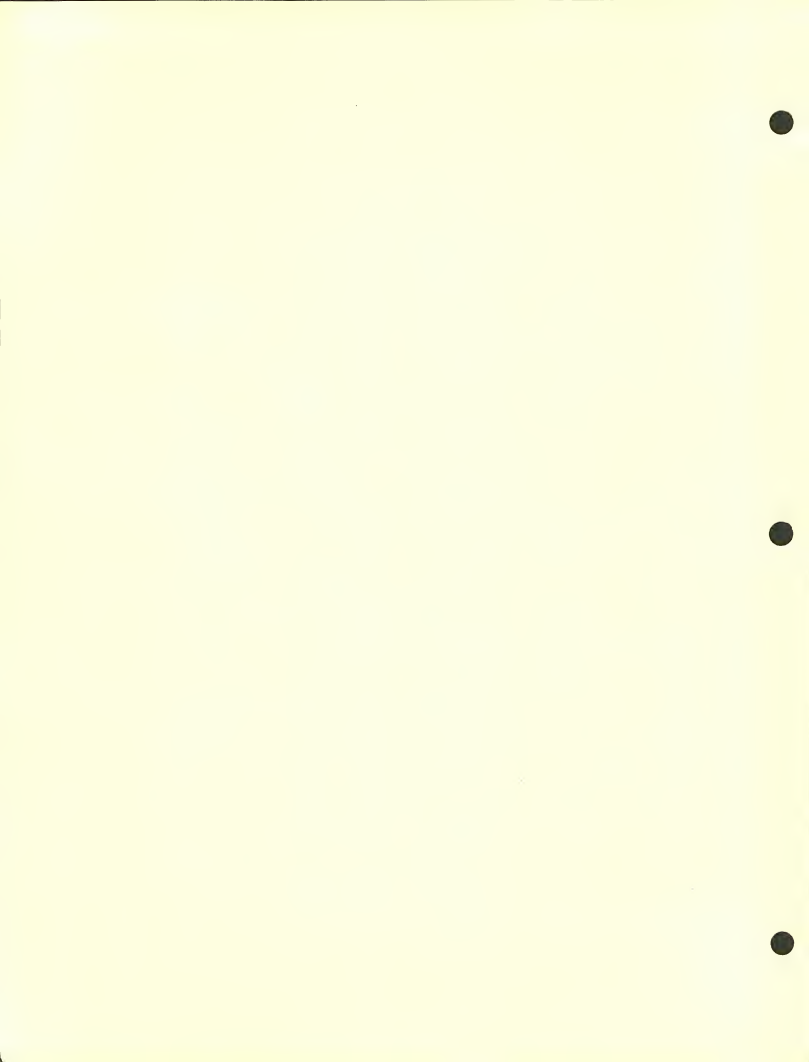
44. FEEs

In accordance with Chapter 219, Session Laws of 1951, as amended by Chapter 139, 1953 Session Laws, the fees as set forth shall be paid on all trucks, truck-tractors, trailers, semi-trailers, busses, auto stages, and passenger cars as required to be registered in Montana under the various laws.

a. Resident house trailers are subject to the payment of the Gross Vehicle Weight Tax.

45. SEASONAL LOAD LIMITS as set by the Montana State Highway Commis-





sion will be in effect and have priority over the G. V. W. T. Lawload limits, when such limits are established by the Commission in conjunction to seasonal operations as required to prevent deterioration of the public highway system.

a. Overweight Permits. Permits for excess weights as provided for in Chapter 73, Session Laws of 1953, shall not be issued unless or until the applicant for such overweight permit has paid the maximum fees for the maximum practical load provided for in Schedules I and II, as the case may be, and as set forth in Chapter 219, Session Laws of 1951, as amended by Chapter 139, Session Laws of 1953.

#### 46. STATION WAGONS OR SUBURBANS

Station Wagons or Suburbans are not to be registered as motor trucks unless such vehicles are used primarily for the transportation of commodities, merchandise, produce, freight or animals. If the owner of a station wagon seeks to register such a vehicle as a motor truck, he should be required to make an affidavit that the vehicle shall be primarily used for the transportation of the above-named items. (See Attorney General's Opinion No. 126, Volume 23, issued September 5, 1950.)

a. Jeeps are to be classified as trucks when the same are built along truck lines and are used for carrying commodities, etc., regardless of the size or make.

b. Jeeps of the Suburban or Station Wagon types, used to carry passengers only, will be registered as passenger cars.

c. Attorney General's Opinion No. 147, Vol. 15, states that "if a vehicle is primarily adapted for carrying of freight or merchandise, it should be listed as a truck", and Opinion No. 126, Vol. 23, states that it would be

unreasonable to hold that a passenger automobile capable, to a limited degree, of transporting commodities or merchandise could be classified as a motor truck.

Refer to the April 8, 1953, letter from Highway Attorney Don Gottwig to Henry C. Helland, Planning Survey Engineer.

d. Ambulances and Hearses. According to the Registration Laws, ambulances and hearses are registered and licensed as trucks; therefore, the same must pay the regular gross vehicle weight tax fees under Schedule I of this Act.

Markings on such units will not be required, but they must display the regular gross vehicle weight sticker.

#### 47. \$5.00 SPECIAL LICENSE FEES

In lieu of the additional fee provided in this Act, there shall be collected a fee of five dollars (\$5.00) on any motor truck, truck tractor, trailer or semi-trailer used only for the purpose of transporting any air compressor, rock crusher, conveyor, hoist wrecker, donkey engine, cook house, tool house, or bunk house attached to or made a part of such motor truck, trailer, or semi-trailer.

Trucks hauling seismographs, drills, recording instruments, well drillers, and any other similar type of equipment, when attached to or made an integral part of a truck and trailer and which are not removable so that the truck may not be used for other purposes of hauling, and when the truck is so constructed and does not haul other equipment, it will be licensed under the special fee and must be marked on both sides, "SPECIAL G. V. W.".

#### 48. ROAD CONSTRUCTION EQUIPMENT.

Road construction equipment must be licensed and the gross vehicle

47 - 1 COMBINE UNITS.

The Deputy Registrar of Motor Vehicles under date of July 24, 1953, advised that the administrative policy shall be to license and register self-propelled combines travelling on the public highways.

An out-of-state combine, travelling on the highways of Montana, which is properly licensed in a state with which Montana has reciprocity, is exempt until it has worked in Montana, and then it must be licensed and registered (for registration purposes only) and is subject to the \$5.00 Special Gross Vehicle Weight Tax fee. Effective July 1, 1955, one half year fees apply to non-resident operators.

All combine owners who intend to operate in Montana should be advised to license their appropriate vehicles upon entrance into the state. It is the obligation of the owner to obtain proper licenses and failure to comply will make the owner liable to fine as well as payment of fees.

An out-of-state combine, travelling on the highways, which comes from a state not having reciprocity with Montana, must secure a license and pay the required fees immediately upon its arrival in the State of Montana. This includes licensing, registration, and gross vehicle weight tax fees.

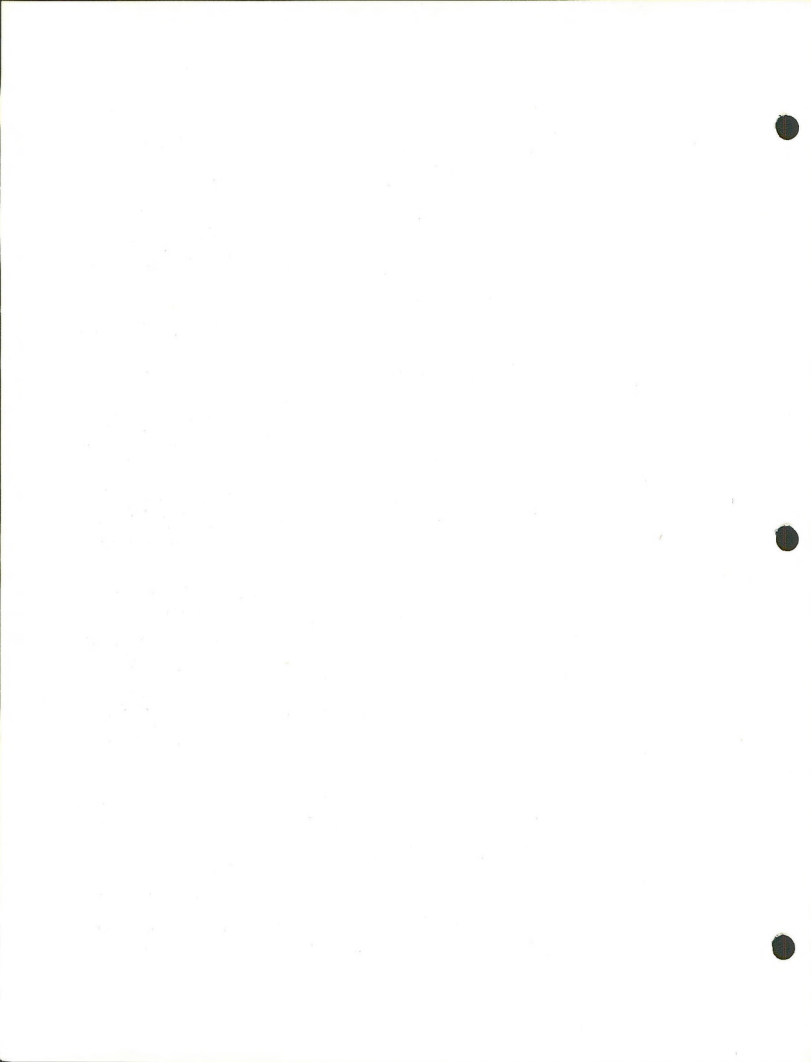
Resident combines travelling on the highways shall be licensed and registered and pay the special \$5.00 Gross Vehicle Weight Tax fee or half fee for half year. This shall not apply to short movement on or across a highway of a farmer's own combine operating on his own farm lands.

A combine travelling on the highways is one that is operating under its own power or is being trailed behind a powered unit.

Combines loaded on another vehicle and hauled into or within the State are not subject to the license or gross vehicle weight tax fees unless or until they travel on the highways as above defined. The truck-tractor and trailer hauling the combine is subject to exemption or licensing, depending on reciprocity with the state of origin. The use of a vehicle for hauling grain or other commodities makes it liable for licensing and regular gross vehicle weight tax fees regardless of reciprocity.

Combines exceeding size and weight restrictions must obtain permits from any Montana Highway Commission Division Maintenance Office. Permits will not be issued for excess width involving a hazard to traffic for any considerable distances over the highways concerned except to those applicants who carry public liability and property damage insurance for the protection of the travelling public as a whole.

Self-propelled combines shall be issued regular truck license plates. Trailed combines shall be issued regular trailer license plates. Combines which are used solely on farm lands and do not travel upon any public highway are not required to be licensed.



weight tax fees must be paid. Gross vehicle weight tax fees of the \$5.00 proviso must be paid on all self-propelled, rubber-tired units. If any unit is used for hauling or is being driven loaded with any type of commercial equipment, or is towing any other vehicle as defined in the Gross Vehicle Weight Tax Law Administrative Manual, the regular gross vehicle weight tax fees must then be paid.

The licensing and gross vehicle weight tax fees shall apply to all rubber-tired units, either self-propelled or trailed which travel upon the public highways. This shall include, but is not limited to, road patrols, truck-mounted shovels or cranes, earth-moving scrapers, portable crushers, wagon drills, straddle trucks, or any other specialized construction equipment being transported under its own power or on its own truck or trailer mounting.

49. OIL DISTRIBUTORS

Oil distributor~~s~~ trucks must be licensed under the regular declared gross vehicle weight when they haul oil over the highways.

50. WATER TRUCKS

Water trucks may be charged a gross vehicle weight tax fee on the declared empty weight provided, however, that they do not haul water upon any highway. If water is placed in the tank and hauled upon the highway, then it must be licensed on the declared gross weight of the vehicle. If the truck moves from job to job empty and hauls only on a road construction job when the source of water supply is on the job, then it may be licensed on the declared empty weight.

51. OVER-WIDTH OR OVER-WEIGHT CONSTRUCTION EQUIPMENT

If such vehicles are over-width or over-weight, a permit from the State Highway Department must be obtained, in addition to payment of the above fees.

## 52. DEALERS' LICENSES

Dealers' license plates will no longer be allowed on any tow cars used by dealers. All types of similar units must be licensed and pay the regular declared gross vehicle weight tax fees, as they are considered to be commercial units.

Trucks used by dealers in direct connection with their business of buying, selling, transporting, or reconditioning new or used cars may use dealers' plates, but the gross vehicle weight tax fee must be paid on these units.

However, if they are used to deliver gas, oil, batteries, or other similar or equal items, or go out on calls to change flat tires or replace run-down batteries, or push or tow other vehicles, then these units must be licensed and the gross vehicle weight tax fee must be paid on the declared gross weight.

## 53. TYPES OF CARRIERS

a. Common Carrier. Common carrier is a for-hire carrier who caters to the general public for business at regular rates and charges and is licensed under M. R. C.

b. Contract Carrier. Contract carrier is a for-hire carrier who hauls for one, two, or a limited number of customers under contract or agreement, and is licensed under M. R. C.

c. Intrastate Operation. Intrastate operation is commerce within a State or transportation which originates and terminates within the State. Example: An out-of-State operator upon entering the State, unloading at one point, reloading and hauling the same load to another point within the State, will be classed as an Intrastate operator, and shall pay the license and registration fees, as well as the gross vehicle weight tax fee as set forth in this Act, the same as if he were a Montana resident.

d. Interstate Operation. Interstate operation is commerce between states or transportation which originates in one state and passes into or through other states. Example: An out-of-state operator hauling into Montana may unload at one point or several points, reload, and go to some other State. No part of the reload may be destined between any Montana points.

54. FARMER, RANCHER, OR STOCKMAN FEES

A person who is engaged in farming, ranching, or stock raising, irrespective of his place of domicile or residence, may obtain a license at 20% of the gross vehicle weight tax fees as set forth in the Gross Vehicle Weight Tax Law when their licensed motor vehicle units or trailers are used exclusively in the transportation of their own ranch, farm, orchard, or dairy products from point of production to market, or vice versa, or in the infrequent or seasonal transportation by one farmer for another for any purpose, other than commercial hire, of products of the farm.

a. When farm trucks, tractors, trailers and semi-trailers, licensed as farm units under the Gross Vehicle Weight 20% fee are hired for seasonal occupations, such as hauling logs, pulpwood, Christmas trees, not for their own use, from lands other than their own, they become subject to and must pay the 75% fee, as provided in the Gross Vehicle Weight Tax Law.

b. When vehicles licensed as farm units are hired for hauling of materials other than those which come under the gross vehicle weight 75% fee, as provided above, they become subject to and shall pay the regular fees as provided under the Gross Vehicle Weight Tax Law.

c. Vehicles licensed under the gross vehicle weight 75% fee are not permitted to haul the finished commercial product, such as ties, or lumber, planed or unplanned. When so engaged, they become subject to and shall pay the regular fee as provided under Schedules I and II of the Gross Vehicle Weight Tax Law. Ready-mix concrete trucks may not haul other material.

## 55. TEMPORARY TRIP PERMITS

One permit issued to each non-resident vehicle for each trip.

### Fees:

\$5.00 for each vehicle for each trip of 200 miles or less

\$7.50 for each vehicle for each trip over 200 miles and up to 400 miles

\$10.00 for each vehicle for each trip over 400 miles.

### Computing Trip Mileage:

Each trip shall be defined as total number of miles traveled in Montana by each vehicle.

### Vehicles required to purchase temporary trip permits:

Each vehicle or each truck, truck tractor, full trailer or semi-trailer in a combination of vehicles with a gross weight of over 6,000 lb. traveling under the following conditions:

1. Vehicles titled or domiciled in a state not having a reciprocal agreement with the State of Montana.
2. Non-reciprocal dealers plates.
3. Commercial busses or charter busses operating from non-reciprocal states.
4. House trailers being transported for sale or resale by use of non-reciprocal dealers plates.
5. All non-resident Intransit plates including Intransit plates used to transport house trailers.
6. Montana Intransit plates used to caravan USED motor vehicles.
7. All non-resident trucks or trailers not carrying proper registration cards or papers showing state of domicile.
8. All vehicles a part of an interstate fleet not prorated as required by reciprocal agreements including prorated vehicles without proper papers.

SUPPLEMENT NO. 10

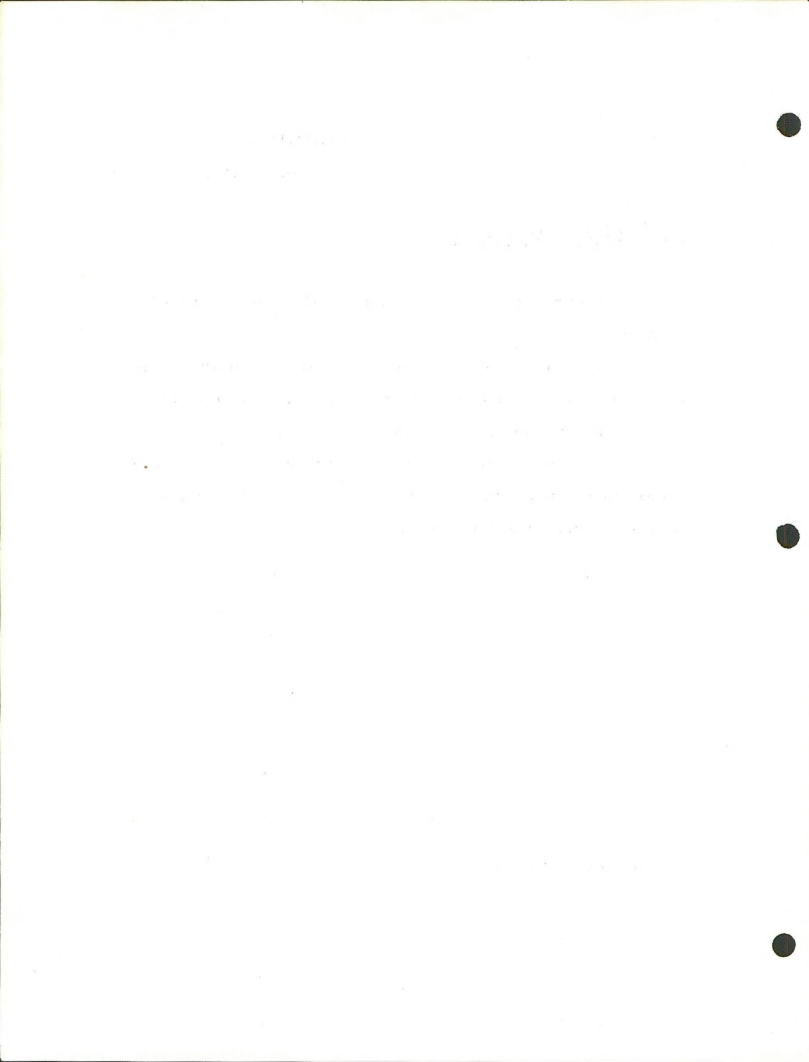
July 1, 1955

55.1 TEMPORARY TRIP PERMITS

Effective at once the time limit of all trip permits shall be 72 hours.

Upon application to a Highway Patrolman a temporary trip permit may be extended by his endorsement for up to 15 days in an emergency such as mechanical breakage or unsafe road conditions.

Vehicles used by displays or exhibitions (including circuses and carnivals) may be endorsed to cover the period of their schedule for a single trip through the State.



9. All non-resident vehicles hauling loads in excess of license of state of domicile.
10. All non-resident vehicles operating with special weight permits or weight tolerance.
11. All non-resident vehicles not currently licensed.
12. Non-resident self propelled combines.

Exceptions:

Non-resident vehicles properly licensed from states with which Montana has reciprocity on Gross Vehicle Weight fees.

Non-resident house trailers properly licensed in another state the principal use of which is living quarters temporary or permanent.

Non-resident vehicles traveling on Montana Temporary Trip Permits are not required to purchase Montana License Plates.

Montana Temporary Trip Permits may not be issued to resident vehicles.

Temporary Trip Permits are not subject to 1/2 year fee.

56. ONE-HALF (1/2) YEAR REGISTRATIONS

a. New Vehicles. All residents of the State of Montana who make original application for their Montana license, as provided in Section 53-114, Revised Codes of Montana, 1947, on a new vehicle after the first day of July of any year will be subject to the one-half year Gross Vehicle Weight Tax proviso.

b. Used Vehicles. On used vehicles operated by and in the possession of owners before July 1 of any year, the full year fee must be paid, upon application for Montana license after July 1, unless the owner shows proper proof on a filed affidavit that the used vehicle had not been operated in the first six months of the year.

c. Residents. Residents or non-residents of the State of Montana shall, at the time of application as provided in Section 53-114, R. C. M., 1947, pay the fees herein prescribed and said residents or non-residents who make original

application for a license after the first day of July of any year shall pay one-half (1/2) of the fees provided only in:

1. Schedules I and II and Class A fees.
2. Item 47 herein - "Special License Fees"
3. Items 21 & 22 herein - "Busses" and "Auto Stages"
4. Item 23 herein - "School Busses".

57. ONE-HALF (1/2) YEAR FEES

a. Residents or Non-Residents. The one-half (1/2) year fee will not apply for vehicles licensed prior to July 2 on which a change of registration status under gross vehicle weight is requested after July 1st.

1. School busses licensed before July 2 as exempt and whose owners apply to enter charter service after July 1st shall pay the full fee.

2. Busses licensed prior to July 2 and whose owners apply for increased seating capacity after July 1st shall pay the full difference between the full fee for the increased seating capacity and the original fee.

3. Trucks and trailers licensed prior to July 2nd on which an increase in gross weight is applied for after July 1st shall pay the full difference between the full fee for the increased maximum gross weight applied for and the original fee.

4. Motor vehicles operating exclusively for transportation of persons for hire within the limits of incorporated cities or towns or within fifteen (15) miles from such limits registered as exempt under Section 12 prior to July 2nd and whose owner applies to operate as an unrestricted bus or auto stage after July 1st shall pay the full fee.

5. Residents or non-residents of the State of Montana who license their vehicles after July 1st and subsequently wish to change their registration status under gross vehicle weight shall pay the difference based on one-half (1/2) year fees under the Gross Vehicle Weight Tax Law.

2. Non-residents operating on an itinerant basis will be subject to the full itinerant fees as provided under Section 2 of this Act.

3. Non-residents seeking residency in this State will be subject to the provisions of this and the Registration and Licensing Laws the same as a resident of the State of Montana, under Items 56 and 57.

#### 58. HOUSE TRAILERS

House trailers will be licensed at a fee equal to fifty cents (50¢) for each foot of over-all trailer body length, exclusive of bumpers and hitch.

a. House trailers owned by farmers and used upon the highways for any purpose, such as vacation trips or travel, must pay the regular gross vehicle weight fee and not the 20% fee as set forth in this Act.

b. Non-resident house trailers, if not licensed under their domiciled jurisdiction and/or coming from a state with which Montana does not have reciprocity, will be subject to the gross vehicle weight tax fees.

#### 59. EXEMPTIONS

The following types of motor vehicle units are exempt from this Act:

a. Motor vehicles used exclusively for transportation of persons for hire within the limits of incorporated cities or towns and within fifteen (15) miles from such limits.

b. Motor vehicles brought or driven into Montana by any non-resident migratory, bona fide agricultural worker temporarily employed in agricultural work in this State, where said motor vehicles are used exclusively for the transportation of agricultural workers.

c. Vehicles operating into Montana from states having reciprocity with Montana. VEHICLES OPERATING UNDER RECIPROCITY NEED NOT DECLARE OR MARK THE G. V. W. ON THEIR VEHICLES.

d. School busses not engaged in charter service.

e. County, city, State, or federal vehicles are not required to have exempt decals or stickers, nor are they required to paint or mark their vehicles as required by this Act.

f. Itinerant house trailers shall be issued exempt G. V. W. T. stickers if they are required to make application for exemption.

Exempt units under this Act must file application and obtain exempt stickers as necessary.

#### 60. CLASS A 125% FEES

Class A fees (125%) shall apply to all vehicles on a mileage of over 24,000 miles, with the mileage computed on a calendar year basis from January 1, 1953.

#### 61. CHARTER SERVICE

Charter service will be considered applicable to all busses operating on a for hire basis with the exception of school busses used exclusively for the transportation of school children on specified routes covered by bona fide contracts. Transportation of school children for extra-curricular activities will be considered charter service, unless such activities and trips are specifically covered in the contract with the school board or district. In no case will charter service be applicable where travel does not exceed a fifteen (15) mile radius from incorporated cities or towns.

#### 62. NEW PASSENGER MOTOR VEHICLE SALES TAX

There shall be imposed upon all new passenger motor vehicles for which a license is sought, and which have not been otherwise assessed and not subject to assessment and taxation when the owner applies for his original Montana license, a motor vehicle sales tax as follows:

1-1/2% of the F. O. B. list price for the 1st quarter

1-1/8% of the F. O. B. list price for the 2nd quarter

3/4 of 1% of the F. O. B. list price for the 3rd quarter

3/8 of 1% of the F. O. B. list price for the 4th quarter.

(NOTE: 1. See definition of a "New Passenger Motor Vehicle", page 3 herein.

2. Section 3 of the Gross Vehicle Weight Tax Law sets forth the above new passenger motor vehicle sales tax rates on a graduated scale. Section 4 of this Act refers to one-half (1/2) year fees. The one-half (1/2) year fee provided for in Section 4 will therefore not apply to the tax on new passenger motor vehicles as provided for in Section 3.

See Attorney General's Opinion No. 55, Volume 24, issued December, 1951.

#### 63. CARS REGISTERED FROM YELLOWSTONE PARK

In consideration of the right to use the highways of the State of Montana, there shall be imposed upon all new passenger motor vehicles, as defined herein, a sales tax as graduated in Section 3 of the Gross Vehicle Weight Tax Law, and upon registration by owners residing in Yellowstone Park, the same shall be controlling in the instant situation. (See Attorney General's letter dated March 14, 1950.)

#### 64. TRANSFER OF G. V. W. FEE OR LICENSE

The Gross Vehicle Weight Tax Law provides for a transfer of the G. V. W. T. fee to a replacement when the original vehicle as defined herein is completely destroyed from any cause. If a gross vehicle weight license only has been issued, this license also may be assigned by voiding the original decal in the records and then issuing a new decal. All decals must be accounted for

and a regular fee will be charged against the loss of any such decals. No transfer is permitted of the registration fees or licenses under this Act. There is no conflict herein with the registration laws in this regard.

NOTE: Residents of the State of Montana requesting transfer of fees on vehicles destroyed from any cause (as covered by Section 8 of this Act) after July 1st shall pay the full difference between the one-half (1/2) year fee on the replacement vehicle and the one-half (1/2) year fee on the original vehicle.

65. SOLDIERS' AND SAILORS' CIVIL RELIEF ACT TAXATION -- STATE OF MONTANA, POLITICAL SUBDIVISIONS THEREOF -- VETERANS

Excerpt from Opinion No. 42 -- Volume No. 21 -- May 24, 1945:

"The provisions of the act were established to protect the service men from suffering hardship due to taxation while serving a tour of duty in states other than their legal residence. It has been pointed out that a service man billeted in the State of Montana who has not paid a tax on a motor vehicle within the state of his legal residence would be subject to pay such tax at the time application for a motor vehicle license was made in this State of Montana. However, if the service man has an automobile on which he has paid a tax without the State, verified by license plates or other evidence, the vehicle would not be subject to new passenger motor vehicle tax fees in Montana."

66. RECIPROCITY

Reciprocity shall be granted notwithstanding anything to the contrary herein, in accordance with Section 53-129 of the R.C.M., 1947, and amendments thereto, as set forth in Chapter 195, Session Laws of 1953, whereby the Registrar of Motor Vehicles is granted authority to enter into prorational agreements for fleets engaged in interstate commerce.

a. All units operating under reciprocity for registration and licensing

purposes only shall ~~not~~, immediately upon entering the State, file application and obtain an exempt G. V. W. T. sticker for every truck or trailer.

b. The County Treasurer shall henceforth submit these applications to the State agencies as noted on the application and report the record of all such decals issued.

#### 67. PENALTIES

Section 9 of the tax law states that any owner or operator of a truck, trailer, or semi-trailer, bus, or automobile who violates any provision of this Act shall, upon conviction thereof, be deemed guilty of a misdemeanor and punished by a fine of not more than three hundred dollars (\$300.00) or by a sentence of not more than sixty (60) days in the county jail or both. Whenever the gross laden weight of any truck, trailer, or semi-trailer operated upon any highway in the State exceeds the gross maximum weight marked on such vehicle pursuant to Section 14 hereof, the operator thereof shall be required to forthwith unload all cargo in excess of the gross maximum weight for which such vehicle is taxed; and such excess cargo shall not be reloaded until payment shall have been made to the nearest County Treasurer of the amount of the deficiency in the fee provided for in Section 1 hereof, based upon the gross weight of such vehicle immediately before the unloading of such excess cargo, provided it does not exceed the legal axle weight.

a. Perishable Commodities. Haulers of perishable commodities shall solely be responsible for the same, if and when the operator is caught or detained for overloading and is forced to unload the vehicles which are in conflict with the law, while he obtains a license for the same.

b. Patrol Summons. Summons shall be issued by the Highway Patrol on the regular forms used by this enforcement agency. Detailed records of

the G. V. W. T. violations shall be kept by the Patrol and reported on a monthly basis to the Commission in a manner to be prescribed by the administrators of the Gross Vehicle Weight Tax Law.

68. MARKINGS OF GROSS VEHICLE WEIGHT

Markings of gross vehicle weight shall be in letters at least two inches (2") high. Decal or the painted insignia on BOTH SIDES of a vehicle shall read "UNDER 20,000#" etc., or "A, UNDER 20,000#".

a. Vehicles registered and taxed as a farm, livestock, logging and ready mix concrete shall have the words "FARM VEHICLE", "LIVESTOCK VEHICLE", "LOGGING VEHICLE", or "CONCRETE VEHICLE" in addition to the gross vehicle weight.

b. Busses used as auto stages and/or to haul freight shall have the G. V. W. insignia, as specified above, on BOTH SIDES.

c. Passenger busses shall have the decal or the painted insignia on BOTH SIDES the maximum seating capacity of the bus, and not the seating capacity actually paid for under the gross vehicle weight tax law.

d. Special units shall be marked on BOTH SIDES "SPECIAL G. V. W."

69. G. V. W. T. TRUCK REFERENCE DATA

It is recommended that all County Treasurers and County Assessors write and have their names placed on the list of the National Automobile Dealers Association for their official truck reference manual, with the following address: National Automobile Dealers Association Used Car Guide Company, 1026-17th Street N. W., Washington 6, D. C.

70. 42,000 POUND LOADING

The maximum fee for single units (truck, truck-tractor, trailer or semi-trailer) will be the fee for "Under 42,000 Pounds" as set forth under

Schedules I and II of Chapter 219, Session Laws 1951, as amended by Chapter 139, Session Laws of 1953, regardless of the possibility of any of the vehicles mentioned carrying a load in excess of 42,000 pounds and still be within the legal axle limits established under Chapter 73, Session Laws of 1953. (See page xvii of this manual for tables.)

#### 71. METHOD OF REPORTING

It will be necessary for County Treasurers to report all revenue by the 15TH DAY OF THE MONTH FOLLOWING COLLECTIONS for each category of fees outlined on the monthly reports for each county. The amount of tax transmitted to the State Treasurer will be reported in a lump sum on the last line of the regular Treasurer's report along with a copy of the breakdown detailed report attached herein (G. V. W. T. Form No. 6, as revised).

#### 72. REGISTRATION CARDS

Registration cards used by the Registrar of Motor Vehicles for all vehicles will carry separate spaces on the face of the card to show the G.V.W.T. on trucks, truck-tractors, trailers, semi-trailers and sales tax on new passenger cars and the information should be entered thereon.

#### 73. METHODS OF REFUNDING

A county "Affidavit for Refunds of Taxes" shall be issued by the County Clerk in duplicate for signature by the registrant. All refunds of the Gross Vehicle Weight Tax ordered to be paid by the Board of County Commissioners shall be paid by the County Treasurer out of the General Fund of the county or in this case may be withheld from the next month's payment to the State Treasurer and listed as shown on our sample. A copy of the affidavit or claim issued the applicant by the Clerk and Recorder must be submitted to the Department. These affidavits or claims will not be issued by the Montana

Highway Commission. Such authority for refunds is set forth in Section 84-4176 of the R.C.M. of 1947, as amended by Section 1, Chapter 71, 1951 Session Laws.

#### 74. PROTESTED PAYMENTS

Protested payments are requested by this Department to be listed and to be withheld from the totals until such time as these taxes are cleared and transferred to the Highway Fund, then they will be entered in the respective columns for "Number of Units" and "Amount of Fees", and showing the number of protested units added in each category.

#### 75. LICENSES

All vehicles operating within the State must display license plates and a decal or sticker issued by the Montana State Highway Commission through the County Treasurer.

1. Non-resident motor vehicle operators shall, immediately upon their arrival in the State of Montana, contact the nearest State Highway Patrolman, Sheriff's Office, or the County Treasurer and make application and obtain a license and pay the fee as required in this Act for permission to operate upon the highways, and if required must register and obtain licenses.

2. The following licenses and affidavits listed (with samples as shown) are necessary to operate vehicles in the State of Montana:

a. License plates issued by the Registrar of Motor Vehicles through the County Treasurers.

b. G. V. W. T. Form No. 1, 1A, and 1B--Itinerant Trip Permit Application and Stickers, issued by the Montana State Highway Commission through the County Treasurers. Form No. 1A shall be a gummed sticker for application on the upper right hand corner of the windshield of all trucks.

Form No. 1B will be a gummed back sticker to be used for trailers only. The sticker numbers issued must conform to the permit number as shown on the application form.

c. G. V. W. T. Form No. 2, 2A, and 2B, Affidavit of Exemption, stickers and decals, issued by the Montana State Highway Commission through the County Treasurers. Form No. 2 is self-explanatory. Form 2A will be a gummed-face sticker to be placed in the lower right hand corner of the windshield. The identification of officers and title and license numbers, etc., will be filled in on the back of G. V. W. T. Form 2A. Form 2B shall be a gummed-back decal to be used for trailers only. This decal must also be placed on the driver's side on the front of all trailers. The exempt permit number must be identical to the numbers on the affidavit of exemption as issued.

d. G. V. W. T. Form No. 3, Change of Weight Permit, issued by the State Highway Commission through the County Treasurers. Form No. 3 must be completely filled in, and the form is self-explanatory.

e. G. V. W. T. Form No. 4, Proof of Transfer, issued by the Montana Highway Commission through the County Treasurers. Form No. 4 is an affidavit showing proof of transfer of the G. V. W. T. fee or license. This form, as noted, is to be used for all vehicles. Please use old forms.

f. G. V. W. T. Truck Sticker No. 5 will be issued to every truck when registered and licensed in Montana upon payment of license fees and the gross vehicle weight tax fees. It is necessary to completely fill in all the data on this sticker and to add the gross vehicle weight as declared. This sticker is to be posted in the lower right hand corner of the windshield.

g. G. V. W. T. Trailer Decal No. 5A will be issued to all trailers

registered and licensed in Montana upon payment of license fees and the gross vehicle weight tax fees and will be issued with every set of trailer plates. The decal will be placed on the driver's side on the front of all trailers. Any protection desirable may be used for this decal, provided that it is not concealed.

h. G. V. W. T. Form No. 6, Monthly Report Form. This form, as revised, is self-explanatory.

i. G. V. W. T. Form No. 7, Affidavit Claiming Travel Under 24,000 Miles, issued by the Montana State Highway Commission through the County Treasurers, is self-explanatory. We request that all items be completed in order for this Department to field check units.

It is recommended that no affidavits be issued to owners of pick-up trucks, house and other small trailers, who do not use the vehicles in commercial hauling.

Our Department filing system will be set up on the basis of Counties, in alphabetical order and by affidavit or permit numbers issued for each county, in numerical order, beginning with the number "1" and numbering consecutively upward.

PLEASE DO NOT USE THE REGISTRAR'S COUNTY LICENSE NUMBER FOR THE COUNTY NUMBER.

According to the provisions as set forth in Section 16-2403 and 16-2416, R.C.M. 1947, a County Treasurer's signature is recognized as valid in administering and certifying oaths. Thus all affidavits do not have to be notarized by other legal authorities to be valid.

j. Special G. V. W. T. Travel Permits are to be used only by the Sheriff's Office and the Highway Patrol, and shall be issued to applicants who are required to be registered, licensed, and are subject to gross vehicle weight tax when the

above officials cannot issue complete licenses for proper registration.

k. All affidavits must be completely filled in to be valid. Distribution of permits must be made by the County Treasurer as prescribed on the various Forms for administrative purposes.

All affidavits shall be issued by the State Highway Commission to the County Treasurers, who, in turn, shall assign affidavit numbers to the Sheriff's Office and the Highway Patrol. Permits must be issued in numerical order and must agree with license or sticker numbers shown on the application.

All stickers, licenses, or decals must be accounted for and the remainder returned to the State Highway Commission at the end of each calendar year. County Treasurers shall be responsible for all unaccounted licenses or decals.

1. Replacement of stickers or decals may be made by voiding the original number, and upon proper proof of loss or destruction supported by an affidavit in duplicate, replacement stickers or decals may be issued for those lost or destroyed.

#### 76. IN-TRANSIT PLATES

Reciprocity will no longer be recognized on in-transit plates from any state on registration and licensing and the Gross Vehicle Weight Tax Law. New vehicles as well as used vehicles, when such used vehicles are being caravanned for resale, must now operate under the new Caravan Law or the Registration Law and the Gross Vehicle Weight Tax Law on an itinerant trip permit basis.

If once the operator elects to obtain a drive-away or tow-away permit, he then must make application to the Registrar's Office and obtain a permit

and license plates to operate and in addition pay a fee upon each driven vehicle, or he may continue to operate under the Gross Vehicle Weight Tax Law as in the past.

No reciprocity is allowed on vehicles operating with in-transit plates if the operator chooses to operate under the Gross Vehicle Weight Tax Law.

If vehicles are properly licensed in a state having reciprocal agreements with Montana, reciprocity will be recognized.

Stickers used for the Gross Vehicle Weight Tax Law will be issued as in the past.

#### 77. LEASED UNITS

Leased units will not be allowed to operate under reciprocal agreements if they are registered and domiciled in a state that does not have reciprocity with Montana.

### DEFINITIONS

#### 78. "DRIVE-AWAY" or "TOW-AWAY"

"Drive-away" or "tow-away" means an operation in which a single motor vehicle or combination of driven and towed motor vehicles, new or used, constitutes the commodity being transported, and in which a loaded vehicle may be added, or a combination of vehicles with one in saddle mount, and in which the motive power of one of the motor vehicles is utilized.

#### 79. "TRUCK-AWAY"

"Truck-away" means an operation whereby vehicles are hauled loaded in any truck, or truck and trailer, or tractor and semi-trailer, or any such similar type of carrier, in which the carrying vehicles are properly licensed and registered.

THREE UNIT COMBINATIONS

Train, (Doubles or Double Bottom)

LAW: Chapter 250 Laws of Montana 1955

DEFINITION: Tractor - Semitrailer - Semitrailer converted to full trailer by use of a dolly equipped with fifth wheel which shall be considered a part of the trailer for all purposes and not a separate unit or Tractor - Semitrailer - Full Trailer.

LENGTH: Shall not exceed 60 feet including front and rear bumpers.

MECHANICAL REQUIREMENT: The rear unit of three unit combinations shall be equipped with breakaway brakes.

OPERATING PERMITS: Each resident or non-resident owner of three unit combinations shall apply to the State Highway Commission, Gross Vehicle Weight Tax Division for a continuous operating permit.

APPLICATION FOR PERMIT: Application for continuous operating permit shall be made on G.V.W.T. Form 10. Form 10 shall be submitted in triplicate.

PERMIT FEE: None

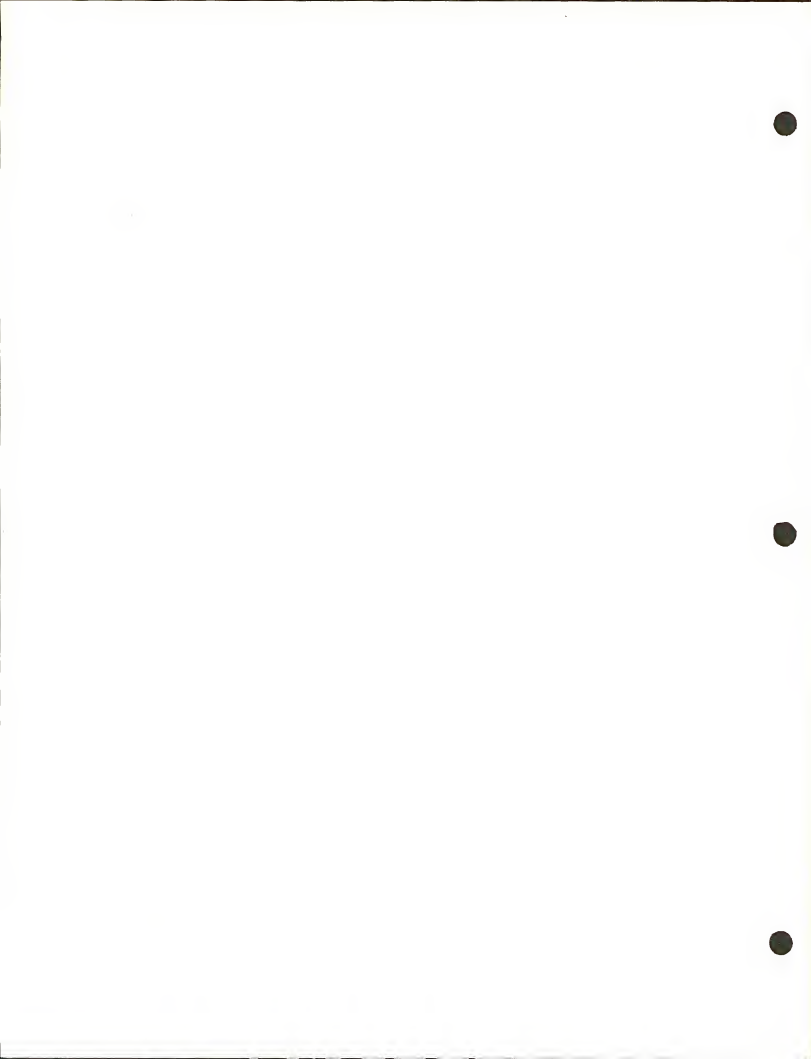
LIFE OF PERMIT: Permit shall be valid until the end of the calendar year. The permit may be cancelled for violations and infractions of the laws relating to the operations of vehicles on the highways of Montana. The permit is subject to temporary suspension by the Highway Patrol for unsafe equipment or hazardous road conditions.

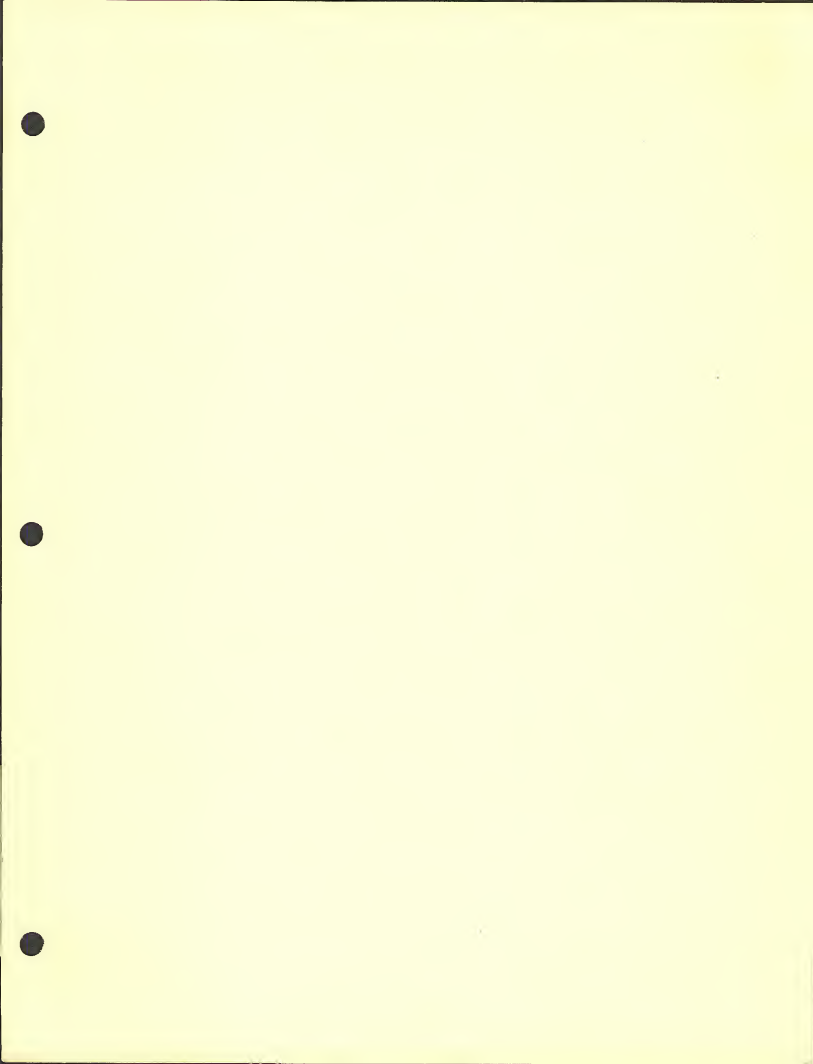
EQUIPMENT ADDED: Equipment may be added to operate under the permit by submitting a completed Form 10 to State Highway Commission, Gross Vehicle Weight Tax Division, Helena, Montana, for approval.

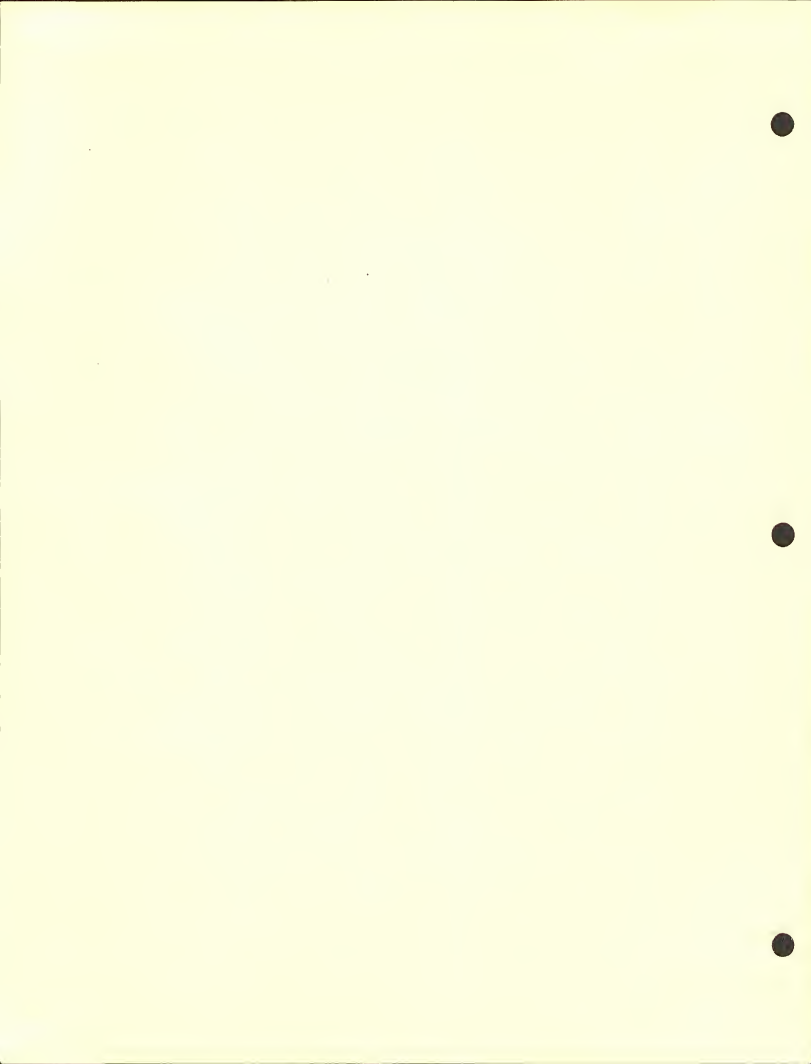
MARKER PLATES: Each trailing vehicle in the combination operating under permit shall display one marker plate as issued by the State Highway Commission. Fee for each plate shall be one dollar (\$1.00).

MARKINGS: The tractor shall have marked on each side the operating Gross Vehicle Weight of the tractor. Each trailer or semitrailer shall mark on each side the Gross Vehicle Weight for which fees have been paid on the combined trailing load. Preceded by the letter "D".

FEES: Provided in Chapter 251 Laws of Montana 1955. Fees shall be computed from application Form 10 and submitted to the specified County Treasurer for collection.









REGULAR FULL YEAR TRUCK OR TRACTOR FEES -- 1953 REV.

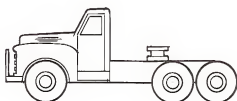
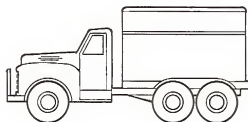
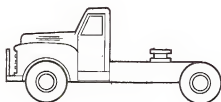
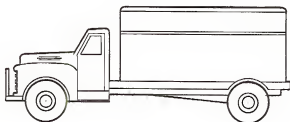
<i>See New Rates</i>	(1) ONE YEAR TRUCK OR TRACTOR FEE	EXCLUSIVE FARM VEHICLES 20% OF THE REG. FEE	TRUCKS HAUL- ING LIVESTOCK OR LOW-BOY TRAILERS 60% OF THE REG. FEE	TRUCKS HAULING LOGS OR POLE TRAILERS READY MIX. CONCRETE 75% OF THE REG. FEE
Up to 6,000 lbs.	\$ 6.00	\$ 4.00	\$ 4.00	\$ 4.50
6,001 lbs. and less than 8,000 lbs.	12.00	4.00	7.20	9.00
8,001 lbs. and less than 10,000 lbs.	14.00	4.00	8.40	10.50
10,001 lbs. and less than 12,000 lbs.	16.00	4.00	9.60	12.00
12,001 lbs. and less than 14,000 lbs.	18.00	4.00	10.80	13.50
14,001 lbs. and less than 16,000 lbs.	22.00	4.40	13.20	16.50
16,001 lbs. and less than 18,000 lbs.	30.00	6.00	18.00	22.50
18,001 lbs. and less than 20,000 lbs.	40.00	8.00	24.00	30.00
20,001 lbs. and less than 22,000 lbs.	50.00	10.00	30.00	37.50
22,001 lbs. and less than 24,000 lbs.	75.00	15.00	45.00	56.25
24,001 lbs. and less than 26,000 lbs.	95.00	19.00	57.00	71.25
26,001 lbs. and less than 28,000 lbs.	115.00	23.00	69.00	86.25
28,001 lbs. and less than 30,000 lbs.	140.00	28.00	84.00	105.00
30,001 lbs. and less than 32,000 lbs.	170.00	34.00	102.00	127.50
32,001 lbs. and less than 34,000 lbs.	200.00	40.00	120.00	150.00
34,001 lbs. and less than 36,000 lbs.	230.00	46.00	138.00	172.50
36,001 lbs. and less than 38,000 lbs.	260.00	52.00	156.00	195.00
38,001 lbs. and less than 40,000 lbs.	290.00	58.00	174.00	217.50
40,001 lbs. and less than 42,000 lbs.	320.00	64.00	192.00	240.00

REGULAR - 1/2 YEAR TRUCK OR TRUCK TRACTOR FEES

Up to 6,000 lbs.	\$ 3.00	\$ 2.00	\$ 2.00	\$ 2.25
6,001 lbs. and less than 8,000 lbs.	6.00	2.00	3.60	4.50
8,001 lbs. and less than 10,000 lbs.	7.00	2.00	4.20	5.25
10,001 lbs. and less than 12,000 lbs.	8.00	2.00	4.80	6.00
12,001 lbs. and less than 14,000 lbs.	9.00	2.00	5.40	6.75
14,001 lbs. and less than 16,000 lbs.	11.00	2.20	6.60	8.25
16,001 lbs. and less than 18,000 lbs.	15.00	3.00	9.00	11.25
18,001 lbs. and less than 20,000 lbs.	20.00	4.00	12.00	15.00
20,001 lbs. and less than 22,000 lbs.	25.00	5.00	15.00	18.75
22,001 lbs. and less than 24,000 lbs.	37.50	7.50	22.50	28.13
24,001 lbs. and less than 26,000 lbs.	47.50	9.50	28.50	35.63
26,001 lbs. and less than 28,000 lbs.	57.50	11.50	34.50	43.13
28,001 lbs. and less than 30,000 lbs.	70.00	14.00	42.00	52.50
30,001 lbs. and less than 32,000 lbs.	85.00	17.00	51.00	63.75
32,001 lbs. and less than 34,000 lbs.	100.00	20.00	60.00	75.00
34,001 lbs. and less than 36,000 lbs.	115.00	23.00	69.00	86.25
36,001 lbs. and less than 38,000 lbs.	130.00	26.00	78.00	97.50
38,001 lbs. and less than 40,000 lbs.	145.00	29.00	87.00	108.75
40,001 lbs. and less than 42,000 lbs.	160.00	32.00	96.00	120.00

- NOTE: 1. TRUCK FEES SHALL INCLUDE TRUCKS OWNED AND OPERATED BY COOPERATIVE ASSOCIATIONS OR COOPERATIVE MARKETING ASSOCIATIONS.
2. MOTOR VEHICLES WHICH ARE REGULARLY USED TO HAUL FREIGHT AND PASSENGERS SHALL BE TAXED UPON THE BASIS OF THE GROSS WEIGHT SCHEDULE.

TRUCK TABLE SHOWING RECOMMENDED G. V. W. FOR TAX PURPOSES -- 1953 REV.



(2) TWO AXLE TRUCK OR TRACTOR

Distance in feet between first and last axle.	Max. legal G. V. W. allowed.	Practical Recommended G. V. W. for Tax Purposes
---	------------------------------------	--

Over 12 feet controlled by legal axle loads

12'	36,400	Under 36,000
11	35,700	" 36,000
10	35,000	" 36,000
9	34,300	" 34,000
8	33,600	" 34,000
7	32,900	" 34,000
6 & Under	32,200	" 32,000

Maximum size and weight statutory limits controlled by legal axle weight of 18,000# per axle.

Maximum practical load recommended for G. V. W. tax purposes.

28,000# based on allowance of 10,000# on front axle and 18,000# on rear axle.

(3) THREE AXLE TRUCK OR TRACTOR

Distance in feet between first and last axle.	Max. legal G. V. W. allowed.	Practical Recommended G. V. W. for Tax Purposes
---	------------------------------------	--

Over 14 feet controlled by max. G.V.W 42,000#

14'	43,200	Under 42,000
13	37,100	" 38,000
12	36,400	" 38,000
11	35,700	" 36,000
10	35,000	" 36,000
9	34,300	" 34,000
8	33,600	" 34,000
7	32,900	" 34,000
6 & Under	32,200	" 32,000

Minimum G. V. W. fee on any truck or tractor purchased as set forth in Chapter 219 S. L. 1951, as amended by Chapter 139 S. L. 1953, will be \$4.00 for a full year, subject to the 1/2 provision as set forth in Chapter 219 S. L. 1951 as amended.

**CLASS A (125%) TRUCK OR TRACTOR FEES -- 1953 REV.**

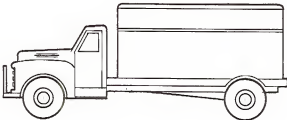
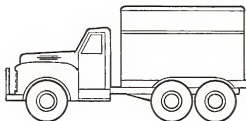
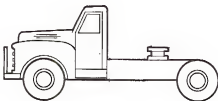
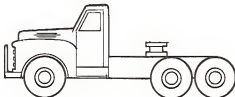
	(1) ONE YEAR TRUCK OR TRACTOR FEE	EXCLUSIVE FARM VEHICLES  20% OF THE REG. FEE	TRUCKS HAUL- ING LIVESTOCK OR LOW-BOY TRAILERS 60% OF THE REG. FEE	TRUCKS HAULING LOGS OR POLE TRAILERS-READY MIX CONCRETE 75% OF THE REG. FEE
Up to 6,000 lbs.	\$ 7.50	\$ 5.00	\$ 5.00	\$ 5.63
6,001 lbs. and less than 8,000 lbs.	15.00	5.00	9.00	11.25
8,001 lbs. and less than 10,000 lbs.	17.50	5.00	10.50	13.13
10,001 lbs. and less than 12,000 lbs.	20.00	5.00	12.00	15.00
12,001 lbs. and less than 14,000 lbs.	22.50	5.00	13.50	16.88
14,001 lbs. and less than 16,000 lbs.	27.50	5.50	16.50	20.63
16,001 lbs. and less than 18,000 lbs.	37.50	7.50	22.50	28.13
18,001 lbs. and less than 20,000 lbs.	50.00	10.00	30.00	37.50
20,001 lbs. and less than 22,000 lbs.	62.50	12.50	37.50	46.88
22,001 lbs. and less than 24,000 lbs.	93.75	18.75	56.25	70.31
24,001 lbs. and less than 26,000 lbs.	118.75	23.75	71.25	89.06
26,001 lbs. and less than 28,000 lbs.	143.75	28.75	86.25	107.81
28,001 lbs. and less than 30,000 lbs.	175.00	35.00	105.00	131.25
30,001 lbs. and less than 32,000 lbs.	212.50	42.50	127.50	159.38
32,001 lbs. and less than 34,000 lbs.	250.00	50.00	150.00	187.50
34,001 lbs. and less than 36,000 lbs.	287.50	57.50	172.50	215.63
36,001 lbs. and less than 38,000 lbs.	325.00	65.00	195.00	243.75
38,001 lbs. and less than 40,000 lbs.	362.50	72.50	217.50	271.88
40,001 lbs. and less than 42,000 lbs.	400.00	80.00	240.00	300.00

**CLASS A (125%) 1/2 YEAR TRUCK OR TRUCK TRACTOR FEES**

Up to 6,000 lbs.	\$ 3.75	\$ 2.50	\$ 2.50	\$ 2.81
6,001 lbs. and less than 8,000 lbs.	7.50	2.50	4.50	5.63
8,001 lbs. and less than 10,000 lbs.	8.75	2.50	5.25	6.56
10,001 lbs. and less than 12,000 lbs.	10.00	2.50	6.00	7.50
12,001 lbs. and less than 14,000 lbs.	11.25	2.50	6.75	8.44
14,001 lbs. and less than 16,000 lbs.	13.75	2.75	8.25	10.31
16,001 lbs. and less than 18,000 lbs.	18.75	3.75	11.25	14.06
18,001 lbs. and less than 20,000 lbs.	25.00	5.00	15.00	18.75
20,001 lbs. and less than 22,000 lbs.	31.25	6.25	18.75	23.44
22,001 lbs. and less than 24,000 lbs.	46.88	9.38	28.13	35.16
24,001 lbs. and less than 26,000 lbs.	59.38	11.88	35.63	44.54
26,001 lbs. and less than 28,000 lbs.	71.88	14.38	43.13	53.91
28,001 lbs. and less than 30,000 lbs.	87.50	17.50	52.50	65.63
30,001 lbs. and less than 32,000 lbs.	106.25	21.25	63.75	79.69
32,001 lbs. and less than 34,000 lbs.	125.00	25.00	75.00	93.75
34,001 lbs. and less than 36,000 lbs.	143.75	28.75	86.25	107.81
36,001 lbs. and less than 38,000 lbs.	162.50	32.50	97.50	121.88
38,001 lbs. and less than 40,000 lbs.	181.25	36.25	108.75	135.94
40,001 lbs. and less than 42,000 lbs.	200.00	40.00	120.00	150.00

- NOTE: 1. TRUCK FEES SHALL INCLUDE TRUCKS OWNED AND OPERATED BY COOPERATIVE ASSOCIATIONS OR COOPERATIVE MARKETING ASSOCIATIONS.
2. MOTOR VEHICLES WHICH ARE REGULARLY USED TO HAUL FREIGHT AND PASSENGERS SHALL BE TAXED UPON THE BASIS OF THE GROSS WEIGHT SCHEDULE.

TRUCK TABLE SHOWING RECOMMENDED G. V. W. FOR TAX PURPOSES -- 1953 REV.

					
					
(2) TWO AXLE TRUCK OR TRACTOR			(3) THREE AXLE TRUCK OR TRACTOR		
Distance in feet between first and last axle.	Max. legal G. V. W. allowed.	Practical Recommended G. V. W. for Tax Purposes	Distance in feet between first and last axle.	Max. legal G. V. W. allowed.	Practical Recommended G. V. W. for Tax Purposes
Over 12 feet controlled by legal axle loads			Over 14 feet controlled by max. G.V.W 42,000#		
12'	36,400	Under 36,000	14'	43,200	Under 42,000
11	35,700	" 36,000	13	37,100	" 38,000
10	35,000	" 36,000	12	36,400	" 38,000
9	34,300	" 34,000	11	35,700	" 36,000
8	33,600	" 34,000	10	35,000	" 36,000
7	32,900	" 34,000	9	34,300	" 34,000
6 & Under	32,200	" 32,000	8	33,600	" 34,000
			7	32,900	" 34,000
			6 & Under	32,200	" 32,000
Maximum size and weight statutory limits controlled by legal axle weight of 18,000# per axle.			Minimum G. V. W. fee on any truck or tractor purchased as set forth in Chapter 219 S. L. 1951, as amended by Chapter 139 S. L. 1953, will be \$4.00 for a full year, subject to the 1/2 provision as set forth in Chapter 219 S. L. 1951 as amended.		
Maximum practical load recommended for G. V. W. tax purposes.					
28,000# based on allowance of 10,000# on front axle and 18,000# on rear axle.					

REGULAR FULL YEAR TRAILER OR SEMI-TRAILER FEES -- 1953 REV.

	(1) ONE YEAR TRAILER OR SEMI-TRAILER FEE	EXCLUSIVE FARM TRAILER OR SEMI-TRAILER 20% OF THE REGULAR FEE	TRAILER OR SEMI- TRAILER HAULING LIVESTOCK OR LOW-BOY TRAILER 60% OF THE REGULAR FEE	TRAILER OR SEMI- TRAILER HAULING LOGS OR POLES  75% OF THE REGULAR FEE
Up to 2,500 lbs. for personal use	Exempt	Exempt	Exempt	Exempt
Up to 2,500 lbs. for commercial use	\$ 3.50	\$ 0.70	\$ 2.10	\$ 2.63
2,501 lbs. and less than 6,000 lbs.	4.50	0.90	2.70	3.38
6,001 lbs. and less than 8,000 lbs.	9.00	1.80	5.40	6.75
8,001 lbs. and less than 10,000 lbs.	10.50	2.10	6.30	7.88
10,001 lbs. and less than 12,000 lbs.	12.00	2.40	7.20	9.00
12,001 lbs. and less than 14,000 lbs.	13.50	2.70	8.10	10.13
14,001 lbs. and less than 16,000 lbs.	16.50	3.30	9.90	12.38
16,001 lbs. and less than 18,000 lbs.	22.50	4.50	13.50	16.88
18,001 lbs. and less than 20,000 lbs.	30.00	6.00	18.00	22.50
20,001 lbs. and less than 22,000 lbs.	37.50	7.50	22.50	28.13
22,001 lbs. and less than 24,000 lbs.	56.25	11.25	33.75	42.19
24,001 lbs. and less than 26,000 lbs.	71.25	14.25	42.75	53.44
26,001 lbs. and less than 28,000 lbs.	86.25	17.25	51.75	64.69
28,001 lbs. and less than 30,000 lbs.	105.00	21.00	63.00	78.75
30,001 lbs. and less than 32,000 lbs.	127.50	25.50	76.50	95.63
32,001 lbs. and less than 34,000 lbs.	150.00	30.00	90.00	112.50
34,001 lbs. and less than 36,000 lbs.	172.50	34.50	103.50	129.38
36,001 lbs. and less than 38,000 lbs.	195.00	39.00	117.00	146.25
38,001 lbs. and less than 40,000 lbs.	217.50	43.50	130.50	163.13
40,001 lbs. and less than 42,000 lbs.	240.00	48.00	144.00	180.00

House trailer G. V. W. fee 50¢ for each foot of overall body length exclusive of bumpers and hitch.

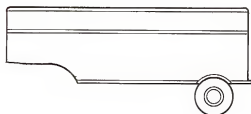
REGULAR 1/2 YEAR TRAILER OR SEMI-TRAILER FEES

Up to 2,500 lbs. for personal use	Exempt	Exempt	Exempt	Exempt
Up to 2,500 lbs. for commercial use	\$ 1.75	\$ 0.35	\$ 1.05	\$ 1.31
2,501 lbs. and less than 6,000 lbs.	2.25	0.45	1.35	1.69
6,001 lbs. and less than 8,000 lbs.	4.50	0.90	2.70	3.38
8,001 lbs. and less than 10,000 lbs.	5.25	1.05	3.15	3.94
10,001 lbs. and less than 12,000 lbs.	6.00	1.20	3.60	4.50
12,001 lbs. and less than 14,000 lbs.	6.75	1.35	4.05	5.06
14,001 lbs. and less than 16,000 lbs.	8.25	1.65	4.95	6.19
16,001 lbs. and less than 18,000 lbs.	11.25	2.25	6.75	8.44
18,001 lbs. and less than 20,000 lbs.	15.00	3.00	9.00	11.25
20,001 lbs. and less than 22,000 lbs.	18.75	3.75	11.25	14.06
22,001 lbs. and less than 24,000 lbs.	28.13	5.63	16.88	21.10
24,001 lbs. and less than 26,000 lbs.	35.63	7.13	21.38	26.72
26,001 lbs. and less than 28,000 lbs.	43.13	8.63	25.88	32.35
28,001 lbs. and less than 30,000 lbs.	52.50	10.50	31.50	39.38
30,001 lbs. and less than 32,000 lbs.	63.75	12.75	38.25	47.81
32,001 lbs. and less than 34,000 lbs.	75.00	15.00	45.00	56.25
34,001 lbs. and less than 36,000 lbs.	86.25	17.25	51.75	64.69
36,001 lbs. and less than 38,000 lbs.	97.50	19.50	58.50	73.13
38,001 lbs. and less than 40,000 lbs.	108.75	21.75	65.25	81.56
40,001 lbs. and less than 42,000 lbs.	120.00	24.00	72.00	90.00

House trailer G. V. W. fee 25¢ for each foot of overall body length exclusive of bumpers and hitch.

TRAILER TABLE SHOWING RECOMMENDED G. V. W. FOR TAX PURPOSES -- 1953 REV.

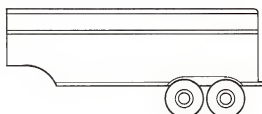
(1) ONE AXLE TRAILER



18,000# Max.

Controlled by legal axle loads  
RECOMMENDED G. V. W. UNDER 18,000#  
FOR TAX PURPOSES

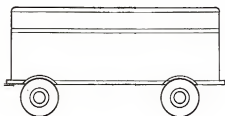
(1) SINGLE TANDEM-AXLE TRAILER



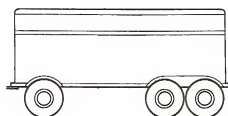
32,000# Max.

Controlled by legal axle loads  
RECOMMENDED G. V. W. UNDER 32,000#  
FOR TAX PURPOSES

(2) TWO AXLE TRAILER



(3) THREE AXLE TRAILER



(2) TWO AXLE TRAILER

(3) THREE AXLE TRAILER

Distance in feet between first and last axle	Max. legal G. V. W. allowed.	Practical Recommended G. V. W. for Tax Purposes	Distance in feet between first and last axle	Max. legal G. V. W. allowed.	Practical Recommended G. V. W. for Tax Purposes
Over 12 feet controlled by legal axle loads			Over 14 ft. controlled by max. G.V.W. 42,000#		
12'	36,400	Under 36,000	14'	43,200	Under 42,000
11'	35,700	" 36,000	13'	37,100	" 38,000
10'	35,000	" 36,000	12'	36,400	" 38,000
9'	34,300	" 34,000	11'	35,700	" 36,000
8'	33,600	" 34,000	10'	35,000	" 36,000
7'	32,900	" 34,000	9'	34,300	" 34,000
6' & Under	32,200	" 32,000	8'	33,600	" 34,000
			7'	32,900	" 34,000
			6' & Under	32,200	" 32,000

NOTE: HOUSE TRAILERS WILL BE TAXED A G. V. W. FEE OF 50¢ FOR EACH  
FOOT OF OVERALL TRAILER BODY LENGTH, EXCLUSIVE OF BUM-  
PERS AND HITCH.

**CLASS A (125%) FULL YEAR TRAILER OR SEMI-TRAILER FEES -- 1953 REV.**

	(1) ONE YEAR TRAILER OR SEMI-TRAILER FEE	EXCLUSIVE FARM TRAILER OR SEMI-TRAILER 20% OF THE REGULAR FEE	TRAILER OR SEMI- TRAILER HAULING LIVESTOCK OR LOW-BOY TRAILER 60% OF THE REGULAR FEE	TRAILER OR SEMI- TRAILER HAULING LOGS OR POLES  75% OF THE REGULAR FEE
Up to 2,500 lbs. for personal use	Exempt	Exempt	Exempt	Exempt
Up to 2,500 lbs. for commercial use	\$ 4.38	\$ 0.88	\$ 2.63	\$ 3.29
2,501 lbs. and less than 6,000 lbs.	5.63	1.13	3.38	4.23
6,001 lbs. and less than 8,000 lbs.	11.25	2.25	6.75	8.44
8,001 lbs. and less than 10,000 lbs.	13.13	2.63	7.88	9.85
10,001 lbs. and less than 12,000 lbs.	15.00	3.00	9.00	11.25
12,001 lbs. and less than 14,000 lbs.	16.88	3.38	10.13	12.66
14,001 lbs. and less than 16,000 lbs.	20.63	4.13	12.38	15.48
16,001 lbs. and less than 18,000 lbs.	28.13	5.63	16.88	21.10
18,001 lbs. and less than 20,000 lbs.	37.50	7.50	22.50	28.13
20,001 lbs. and less than 22,000 lbs.	46.88	9.38	28.13	35.16
22,001 lbs. and less than 24,000 lbs.	70.31	14.06	42.19	52.74
24,001 lbs. and less than 26,000 lbs.	89.06	17.81	53.44	66.80
26,001 lbs. and less than 28,000 lbs.	107.81	21.56	64.69	80.86
28,001 lbs. and less than 30,000 lbs.	131.25	26.25	78.75	98.44
30,001 lbs. and less than 32,000 lbs.	159.38	31.88	95.63	119.54
32,001 lbs. and less than 34,000 lbs.	187.50	37.50	112.50	140.63
34,001 lbs. and less than 36,000 lbs.	215.63	43.13	129.38	161.73
36,001 lbs. and less than 38,000 lbs.	243.75	48.75	146.25	182.81
38,001 lbs. and less than 40,000 lbs.	271.88	54.38	163.13	203.91
40,001 lbs. and less than 42,000 lbs.	300.00	60.00	180.00	225.00

House trailer G. V. W. fee 50¢ for each foot of overall body length exclusive of bumpers and hitch. (No increase.)

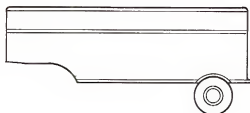
**CLASS A (125%) 1/2 YEAR TRAILER OR SEMI-TRAILER FEES**

	Exempt	Exempt	Exempt	Exempt
Up to 2,500 lbs. for personal use	\$ 2.19	\$ 0.44	\$ 1.31	\$ 1.64
Up to 2,500 lbs. for commercial use	2.81	0.56	1.69	2.11
2,501 lbs. and less than 6,000 lbs.	5.63	1.13	3.38	4.23
6,001 lbs. and less than 8,000 lbs.				
8,001 lbs. and less than 10,000 lbs.	6.56	1.31	3.94	4.93
10,001 lbs. and less than 12,000 lbs.	7.50	1.50	4.50	5.63
12,001 lbs. and less than 14,000 lbs.	8.44	1.69	5.06	6.33
14,001 lbs. and less than 16,000 lbs.	10.31	2.06	6.19	7.74
16,001 lbs. and less than 18,000 lbs.	14.06	2.81	8.44	10.55
18,001 lbs. and less than 20,000 lbs.	18.75	3.75	11.25	14.06
20,001 lbs. and less than 22,000 lbs.	23.44	4.69	14.06	17.58
22,001 lbs. and less than 24,000 lbs.	35.16	7.04	21.10	26.38
24,001 lbs. and less than 26,000 lbs.	44.54	8.91	26.72	33.40
26,001 lbs. and less than 28,000 lbs.	53.92	10.79	32.35	40.44
28,001 lbs. and less than 30,000 lbs.	65.63	13.13	39.38	49.23
30,001 lbs. and less than 32,000 lbs.	79.69	15.94	47.81	59.76
32,001 lbs. and less than 34,000 lbs.	93.75	18.75	56.25	70.31
34,001 lbs. and less than 36,000 lbs.	107.81	21.56	64.69	80.86
36,001 lbs. and less than 38,000 lbs.	121.88	24.38	73.13	91.41
38,001 lbs. and less than 40,000 lbs.	135.94	27.19	81.56	101.95
40,001 lbs. and less than 42,000 lbs.	150.00	30.00	90.00	112.50

House trailer G. V. W. fee 25¢ for each foot of overall body length exclusive of bumpers and hitch. (No increase.)

TRAILER TABLE SHOWING RECOMMENDED G. V. W. FOR TAX PURPOSES -- 1953 REV.

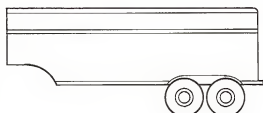
(1) ONE AXLE TRAILER



18,000# Max.

Controlled by legal axle loads  
RECOMMENDED G. V. W. UNDER 18,000#  
FOR TAX PURPOSES

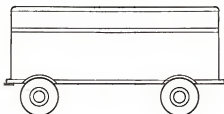
(1) SINGLE TANDEM-AXLE TRAILER



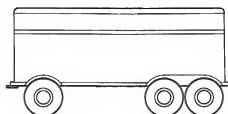
32,000# Max.

Controlled by legal axle loads  
RECOMMENDED G. V. W. UNDER 32,000#  
FOR TAX PURPOSES

(2) TWO AXLE TRAILER



(3) THREE AXLE TRAILER



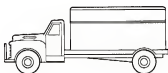
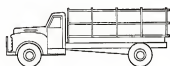
(2) TWO AXLE TRAILER

(3) THREE AXLE TRAILER

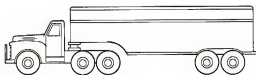
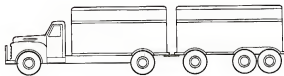
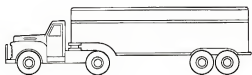
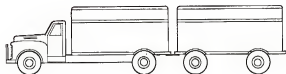
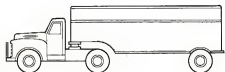
Distance in feet between first and last axle	Max. legal G. V. W. allowed.	Practical Recommended G. V. W. for Tax Purposes	Distance in feet between first and last axle	Max. legal G. V. W. allowed.	Practical Recommended G. V. W. for Tax Purposes
Over 12 feet controlled by legal axle loads			Over 14 ft. controlled by max. G.V.W., 42,000#		
12'	36,400	Under 36,000	14'	43,200	Under 42,000
11'	35,700	" 36,000	13'	37,100	" 38,000
10'	35,000	" 36,000	12'	36,400	" 38,000
9'	34,300	" 34,000	11'	35,700	" 36,000
8'	33,600	" 34,000	10'	35,000	" 36,000
7'	32,900	" 34,000	9'	34,300	" 34,000
6' & Under	32,200	" 32,000	8'	33,600	" 34,000
			7'	32,900	" 34,000
			6' & Under	32,200	" 32,000

NOTE: HOUSE TRAILERS WILL BE TAXED A G. V. W. FEE OF 50¢ FOR EACH  
FOOT OF OVERALL TRAILER BODY LENGTH, EXCLUSIVE OF BUM-  
PERS AND HITCH.

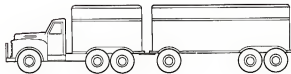
MOTOR VEHICLE TYPE REFERENCE



SINGLE TRUCK UNITS



TRUCK-TRACTOR & SEMI-TRAILER  
COMBINATIONS



TRUCK & FULL-TRAILER  
COMBINATIONS

This Is Your Receipt, Carry in Vehicle at All Times — It Must Accompany Truck or Trailer Issued For

**MONTANA ITINERANT SINGLE TRIP PERMIT**

VALIDATED BY STATE HIGHWAY COMMISSION—HELENA, MONTANA

Make of or Vehicle \_\_\_\_\_  
 Combination \_\_\_\_\_ Entering State of Montana for the \_\_\_\_\_ trip.  
 Describe Units \_\_\_\_\_ No. \_\_\_\_\_  
 Last registered at City of \_\_\_\_\_ State of \_\_\_\_\_

UNIT	LICENSE NO.	YEAR	*MAX. G. V. W.	UNIT	LICENSE NO.	YEAR	*MAX. G. V. W.
TRUCK			,000 Lbs.	TRAILER			,000 Lbs.
TRACTOR			,000 "	SEMI-TRAILER			,000 "
BUS			,000 "	OTHER			,000 "

\*Single trip permits for vehicles must not exceed the legal provisions as set forth in Sec. 32-1123, R.C.M. 1947.

Trip mileage is { 400 miles or less ☐ over 400 miles ☐ Amt. Fee { \$ 5.00 ☐ \$10.00 ☐ Trucks ☐ Trailers ☐

Date issued \_\_\_\_\_ Day \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_ Expected stay \_\_\_\_\_ Days \_\_\_\_\_ Hauling from \_\_\_\_\_  
 Name—Point of Entry \_\_\_\_\_ To \_\_\_\_\_

Via route No. \_\_\_\_\_ U. S. State or County No. \_\_\_\_\_  
 Kind of load hauled \_\_\_\_\_

Permit No. Must Agree With  
 Sticker No. \_\_\_\_\_

Signature of Owner or Operator \_\_\_\_\_

City of \_\_\_\_\_ State of \_\_\_\_\_

TRUCK \_\_\_\_\_

TRAILER \_\_\_\_\_

Issued by \_\_\_\_\_

City of \_\_\_\_\_ County of \_\_\_\_\_ Title \_\_\_\_\_

One copy to the Applicant; State Highway Commission, Planning Survey; one copy retained by the County Treasurer.

## POST STICKER ON WINDSHIELD DURING TRIP

MONTANA  
 GROSS VEHICLE WEIGHT TAX  
 ITINERANT TRIP LICENSE No. 15000  
 VALIDATED BY  
 STATE HIGHWAY COMMISSION — HELENA, MONT.  
 TRUCK LICENSE NO. \_\_\_\_\_  
 400 MILES OR LESS ☐  
 OVER 400 MILES ☐  
 DATE ISSUED \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_  
 ISSUED BY \_\_\_\_\_  
 OFFICIAL TITLE \_\_\_\_\_  
 G. V. W. T. FORM NO. 1-A

## POST STICKER ON DRIVER'S SIDE ON FRONT OF TRAILER

MONTANA  
 GROSS VEHICLE WEIGHT TAX  
 ITINERANT TRIP LICENSE No. 11000  
 VALIDATED BY  
 STATE HIGHWAY COMMISSION — HELENA, MONT.  
 TRAILER LICENSE NO. \_\_\_\_\_  
 400 MILES OR LESS ☐  
 OVER 400 MILES ☐  
 DATE ISSUED \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_  
 ISSUED BY \_\_\_\_\_  
 OFFICIAL TITLE \_\_\_\_\_  
 G. V. W. T. FORM NO. 1-B

This Is Your Receipt, Carry in Vehicle at All Times

## MONTANA AFFIDAVIT OF EXEMPTION FROM G. V. W. T.

VALIDATED BY — STATE HIGHWAY COMMISSION — HELENA, MONTANA

THE UNDERSIGNED HEREBY STATES:

Truck \_\_\_\_\_  
 That Trailer \_\_\_\_\_  
 Other \_\_\_\_\_

Truck \_\_\_\_\_ Make of Vehicle \_\_\_\_\_ Style of Body \_\_\_\_\_ Motor No. \_\_\_\_\_ No. Seats \_\_\_\_\_  
 License No. Trailer \_\_\_\_\_ Yr. Model \_\_\_\_\_ Serial No. \_\_\_\_\_  
 Other \_\_\_\_\_ Motor No. \_\_\_\_\_  
 Last registered at \_\_\_\_\_ City of \_\_\_\_\_ State of \_\_\_\_\_

Claims exemption under Sec. 2 and 12, Chapter 219, S. L. 1951, because it

- ☐ is used exclusively for the transportation of persons for hire within incorporated cities and towns, and within 15 miles from such city limits.  
☐ is granted reciprocity on the G. V. W. Tax. ☐ is a school bus, and is not engaged in charter service.  
☐ is used exclusively for the transportation of non-resident agricultural workers temporarily employed in such work.

The Terminals contracted are \_\_\_\_\_ Describe in Full \_\_\_\_\_

Affidavit No. Must Agree With  
Decal or Sticker No.

TRUCK	_____
TRAILER	_____
OTHER	_____

Permit No.

One copy to Applicant; State Highway  
Commission, Planning Survey; one copy  
retained by the County Treasurer.

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Signature of Owner or Operator \_\_\_\_\_

City of \_\_\_\_\_ State of \_\_\_\_\_

Issued By \_\_\_\_\_ Title \_\_\_\_\_

City of \_\_\_\_\_ County of \_\_\_\_\_

MONTANA  
1953GROSS VEHICLE WEIGHT TAX  
EXEMPT PERMIT No. 6000

VALIDATED BY

STATE HIGHWAY COMMISSION

HELENA, MONTANA

TRAILER LICENSE No. \_\_\_\_\_

ISSUED BY \_\_\_\_\_

OFFICIAL TITLE \_\_\_\_\_

G.V.W.T. FORM 2-B

MONTANA  
1953GROSS VEHICLE  
WEIGHT TAX  
EXEMPT TRUCK PERMIT

VALIDATED BY

STATE HIGHWAY COMMISSION

HELENA, MONTANA

G. V. W. T. FORM 2-A

No. 10000

VEHICLE  
LICENSE NO. \_\_\_\_\_

ISSUED BY \_\_\_\_\_

OFFICIAL TITLE \_\_\_\_\_

CITY \_\_\_\_\_

COUNTY \_\_\_\_\_

This Is Your Receipt, Carry in Vehicle or Trailer at All Times  
**MONTANA CHANGE OF WEIGHT OF VEHICLE PERMIT**  
 VALIDATED BY—STATE HIGHWAY COMMISSION—HELENA, MONTANA

THE UNDERSIGNED HEREBY STATES:

That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the weight of

 \_\_\_\_\_  
 last registered on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at

City of \_\_\_\_\_ County of \_\_\_\_\_ State of \_\_\_\_\_

was changed from gross vehicle weight of unit ☐ or combination of ☐

UNIT	LICENSE NO.	FROM	TO	UNIT	LICENSE NO.	FROM	TO
TRUCK		,000 LBS.	,000 LBS.	TRAILER		,000 LBS.	,000 LBS.
TRACTOR		,000 "	,000 "	SEMI-TRAILER		,000 "	,000 "

Reason \_\_\_\_\_  
Describe in Detail \_\_\_\_\_
 The amount original fee paid was \$\_\_\_\_\_, and the additional fee to be paid  
 is \$\_\_\_\_\_, Total G. V. W. fee is \$\_\_\_\_\_.
Has vehicle previously been subject to change of weight? - - - - - Yes ☐ No ☐

Signature of Owner or Operator \_\_\_\_\_

City of \_\_\_\_\_ State of \_\_\_\_\_

Issued by \_\_\_\_\_

City of \_\_\_\_\_ County of \_\_\_\_\_ Title \_\_\_\_\_

 One copy to Applicant;  
 State Highway Commission,  
 Planning Survey; one retained  
 by the County Treasurer.

**MONTANA**  
**SPECIAL G. V. W. TRAVEL PERMIT**  
 Validated by  
**STATE HIGHWAY COMMISSION—HELENA, MONTANA**

PERMISSION is hereby granted to the undersigned, operator of Truck License  
 No. \_\_\_\_\_ and Trailer License No. \_\_\_\_\_, to continue travel to  
 \_\_\_\_\_ where he is to pay necessary fees and secure  
 (Name of County Seat)  
 GVW License as provided in Chapter 219, Session Laws of 1951.

 Issued by \_\_\_\_\_  
 (Sheriff or Patrolman)

THIS PERMISSION being granted in view of the fact that the nearest Court-  
 house is closed, I hereby agree to pay necessary fees and secure GVW License at the  
 County Treasurer's Office at the County Seat noted above.

Date \_\_\_\_\_ (Owner or Operator) \_\_\_\_\_

Number \_\_\_\_\_

This Is Your Receipt, Keep in Vehicle at All Times

## AFFIDAVIT OF TRANSFER FOR G. V. W. T. FEE OR LICENSE

FOR MOTOR VEHICLES

VALIDATED BY

STATE HIGHWAY COMMISSION — HELENA, MONTANA

THE UNDERSIGNED BEING DULY SWORN SAYS:

That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the motor vehicle

BEARING	LICENSE NO.	MOTOR NO.	G. V. W.	G. V. FEE PAID
Truck, Tractor				
Trailer, Semi-Trailer				
NEW PASSENGER				
BUS ( )				

Type No. Sents

last registered on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, in the

City of \_\_\_\_\_ County of \_\_\_\_\_ State of \_\_\_\_\_

was completely destroyed by \_\_\_\_\_

Describe in Detail

and that

the said vehicle was disposed of by \_\_\_\_\_

Describe Method of Disposal

The above G. V. W. fee or license shall not be paid in duplicate on the following \_\_\_\_\_

Describe Unit

bearing license No. \_\_\_\_\_ Motor No. \_\_\_\_\_ G. V. W. \_\_\_\_\_, 000 lbs., and

issued on new G. V. W. decal No. \_\_\_\_\_ voiding decal No. \_\_\_\_\_ registered

Use If No Registration License Is Issued

this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, City of \_\_\_\_\_ County of \_\_\_\_\_

NOTE: No transfer of registration fees or licenses are permitted under Chapter 219, S. L. of 1951, Sec. 8, and if a smaller vehicle is purchased there shall be no refund of the G. V. W. fees.

Signature of Owner  
or

Operator

Co. No. Permit No.

Street

City of \_\_\_\_\_ County of \_\_\_\_\_

Transfer permits are to be issued  
in numerical order for each  
county by the treasurer, sheriff  
or patrolman.

Issued By \_\_\_\_\_

Official Title \_\_\_\_\_

City of \_\_\_\_\_ County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_\_\_

Notary Public.

One copy to State Highway Commission, Planning Survey; one copy to the Applicant; one copy to be retained by the County Treasurer.

G.V.W.T. FORM 5

MONTANA

1953

GROSS VEHICLE WEIGHT

TRUCK LICENSE

VALIDATED BY

STATE HIGHWAY COMMISSION

HELENA, MONTANA

No. 90,000

FRONT

TRUCK

LICENSE NO. \_\_\_\_\_

ISSUED BY \_\_\_\_\_

OFFICIAL TITLE \_\_\_\_\_

CITY \_\_\_\_\_

COUNTY \_\_\_\_\_

DECLARED GROSS VEHICLE WEIGHT \_\_\_\_\_

(SEE DIRECTIONS FOR APPLICATION)

G.V.W.T. FORM 5

BACK

G.V.W.T. FORM 5-A

MONTANA

1953

GROSS VEHICLE WEIGHT

TRAILER LICENSE

VALIDATED BY

STATE HIGHWAY COMMISSION

HELENA, MONTANA

No. 10,000

G.V.W. UNDER

\_\_\_\_\_,000<sup>00</sup>

ISSUED BY \_\_\_\_\_

TR. LICENSE NO. \_\_\_\_\_

MOI

STATE HIGHWAY

MONTHLY GROSS VEH

HIGHWAY AC

## COUNTY OF LEWIS AND CLARK

G. V. W. TRUCK 8

GROSS VEHICLE WEIGHT POUNDS	NO. REG. AT FULL FEE	AMOUNT DOLLARS	NO. REG. AT 1/2 FULL FEE	AMOUNT DOLLARS	NO. REG. AT FULL 75%	AMOUNT DOLLARS	NO. REG. AT 1/2 FULL 75%	AMOUNT DOLLARS	NO. REG. AT FULL 60%	AMOUNT DOLLARS	NO. REG. AT 1/2 60%	AMOUNT DOLLARS
UNDER 6,000	4	\$ 21.00	4	\$ 12.00	2	\$ 9.00	2	\$ 11.50	2	\$ 8.00	2	\$ 11.00
" 8,000					2	21.00		9.00	2	11.00	2	7.20
" 10,000												
" 12,000	2	32.00	2	16.00					2	19.20		
" 14,000							2	13.50			2	10.80
" 16,000					2	33.00						
" 18,000	2	60.00	2	30.00					2	36.00		
" 20,000					2	75.00		30.00			2	21.00
" 22,000												
" 24,000	2	150.00	2	75.00					2	90.00		
" 26,000							2	71.26			2	57.00
" 28,000					2	172.50						
" 30,000	2	280.00	2	140.00					2	168.00		
" 32,000							2	127.50			2	102.00
" 34,000					2	300.00						
" 36,000	2	450.00	2	230.00					2	276.00		
" 38,000							2	195.00			2	156.00
" 40,000					2	435.00						
" 42,000	2	610.00	2	320.00								
TOTAL (1)	16	\$1,646.00	16	\$823.00	14	\$1015.50	14	\$1,450.76	14	\$611.60	14	\$361.00

G. V. W. TRAILER &amp;

UNDER 2,500	2	7.00			2	5.26			2	4.20	2	2.10
" 5,000			2	4.50			2	3.38				
" 8,000									2	12.60		
" 10,000	2	21.00					2	9.00			2	7.20
" 12,000			2	12.00								
" 14,000												
" 16,000	2	33.00			2	21.76						
" 18,000												
" 20,000			2	22.50								
" 22,000												
" 24,000	2	112.50										
" 26,000			2	71.26								
" 28,000												
" 30,000					2	157.50						
" 32,000	2	255.00										
" 34,000			2	150.00								
" 36,000												
" 38,000												
" 40,000	2	435.00			2	326.26						
" 42,000			2	210.00								
TOTAL (2)	12	\$ 863.50	12	\$500.26	8	\$513.78	4	\$ 12.38	4	\$ 16.80	4	\$ 9.30

EXEMPT UNIT

TRAILERS UP TO 2,500 LBS. FOR PERSONAL

UNITS FOR HIRE IN 15 MILE AREA

SCHOOL BUSES NOT ENGAGED IN CHARTER

AGRICULTURAL NON-RESIDENT WORKER

UNITS OPERATING FROM STATES GRANTED R

NUMBER LICENSES SOLD BY SHERIFF

" " " PATROLMEN

" EXEMPTIONS ISSUED BY SHERIFF

" " " PATROLMEN

" OF G. V. W. LICENSES TRANSFERRED

Make in triplicate—one copy to State Highway Commission, Planning  
Survey; one copy to State Treasurer; one copy to be retained by County  
Treasurer.

NTANA

VAY COMMISSION

## ICLE WEIGHT TAX REPORT

COUNT NO. 138

MONTH MAY

YEAR 1953

TRACTOR FEES (1)								½ YEAR FEES NOT ALLOWED				GRAND TOTAL DOLLARS COLLECTED
NO. REG. AT FULL 20%	AMOUNT DOLLARS	NO. REG. AT ½ 20%	AMOUNT DOLLARS	NO. SPECIAL REG. AT \$5.00	AMOUNT DOLLARS	NO. SPECIAL AT ½ FEE	AMOUNT DOLLARS	NO. ITIN-ERANTS AT \$5.00	AMOUNT DOLLARS	NO. ITIN-ERANTS AT \$10.00	AMOUNT DOLLARS	
2	\$ 8.00	2	\$ 4.00	1	\$ 5.00			1	\$ 5.00			\$ 85.50
2	8.00	2	4.00			1	\$ 2.50			1	\$ 10.00	55.10
2	8.00	2	4.00									33.00
2	8.00	2	4.00					1	5.00			80.20
2	8.00	2	4.00							1	10.00	46.50
				1	5.00							38.00
2	12.00					1	2.50					110.50
		2	8.00					1	5.00			67.00
2	30.00									1	10.00	85.00
		2	19.00	1	5.00							315.00
												132.26
2	56.00					1	2.50			1	10.00	182.50
		2	34.00					1	5.00			268.50
2	92.00			1	5.00							300.00
		2	52.00					1	5.00	1	10.00	1,073.00
												108.00
2	128.00			1	5.00		2.50			1	10.00	137.50
												1,103.00
20	\$58.00	18	\$ 135.00	5	\$ 25.00	4	\$ 10.00	5	\$ 25.00	6	\$ 60.00	\$5,548.86

## SEMI-TRAILER FEES (2)

2	1.10	2	.90											\$ 19.96
														8.78
2	1.20	2	2.10											37.80
														30.60
														57.76
														22.50
														112.30
														71.26
														157.50
														255.00
														150.00
														761.26
														210.00
4	\$ 5.60	4	\$ 3.50											\$1,924.92

S	NO. UNITS		MISCELLANEOUS FEES		NO. REG.	AMOUNT DOLLARS
	TRUCKS OR BUSES	TRAILERS				
USE		5	NEW PASSENGER CARS		5	134.10
	3		CHARTERED SCHOOL BUSES	FULL YEAR FEE 30 Passenger 23 Lic. Seats	1	161.00
SERVICE	5			1/2 YEAR FEE 30 Passenger 23 Lic. Seats	1	80.50
	2		COMMERCIAL BUSES	FULL YEAR FEE 7 Lic. Seats	1	49.00
ELIGIBILITY	2	2		1/2 YEAR FEE 7 Lic. Seats	1	24.50
	10		HOUSE TRAILERS	FULL YEAR FEE 24 Foot	1	12.00
	10			1/2 YEAR FEE 24 Foot	1	6.00
	5		TOTAL MISCELLANEOUS (3)			467.10
N	5		TOTAL G. V. W. TAX FEES (LINES 1 + 2 + 3)			7,940.88
2	1	1	AMOUNT REFUNDED Errors			10.00
			AMOUNT OF ADJUSTMENTS Change of weight & protested fees			198.00
			NET AMOUNT G. V. W. TAX FEES AVAILABLE			8,128.88
			NET AMOUNT TO HIGHWAY 985			7,722.14
			NET AMOUNT TO COUNTY TREASURER 55			106.14



## COUNTY

## - MONTANA -

## NUMBER

1	BEAVERHEAD	29	MADISON
2	BIG HORN	30	MEAGHER
3	BLAINE	31	MINERAL
4	BROADWATER	32	MISSOULA
5	CARBON	33	MUSSELSHELL
6	CARTER	34	PARK
7	CASCADE	35	PETROLEUM
8	CHOUTEAU	36	PHILLIPS
9	CUSTER	37	PONDERA
10	DANIELS	38	POWDER RIVER
11	DAWSON	39	POWELL
12	DEER LODGE	40	PRAIRIE
13	FALLON	41	RAVALLI
14	FERGUS	42	RICHLAND
15	FLATHEAD	43	ROOSEVELT
16	GALLATIN	44	ROSEBUD
17	GARFIELD	45	SANDERS
18	GLACIER	46	SHERIDAN
19	GOLDEN VALLEY	47	SILVER BOW
20	GRANITE	48	STILLWATER
21	HILL	49	SWEET GRASS
22	JEFFERSON	50	TETON
23	JUDITH BASIN	51	TOOLE
24	LAKE	52	TREASURE
25	LEWIS & CLARK	53	VALLEY
26	LIBERTY	54	WHEATLAND
27	LINCOLN	55	WIBAUX
28	MCCONE	56	YELLOWSTONE



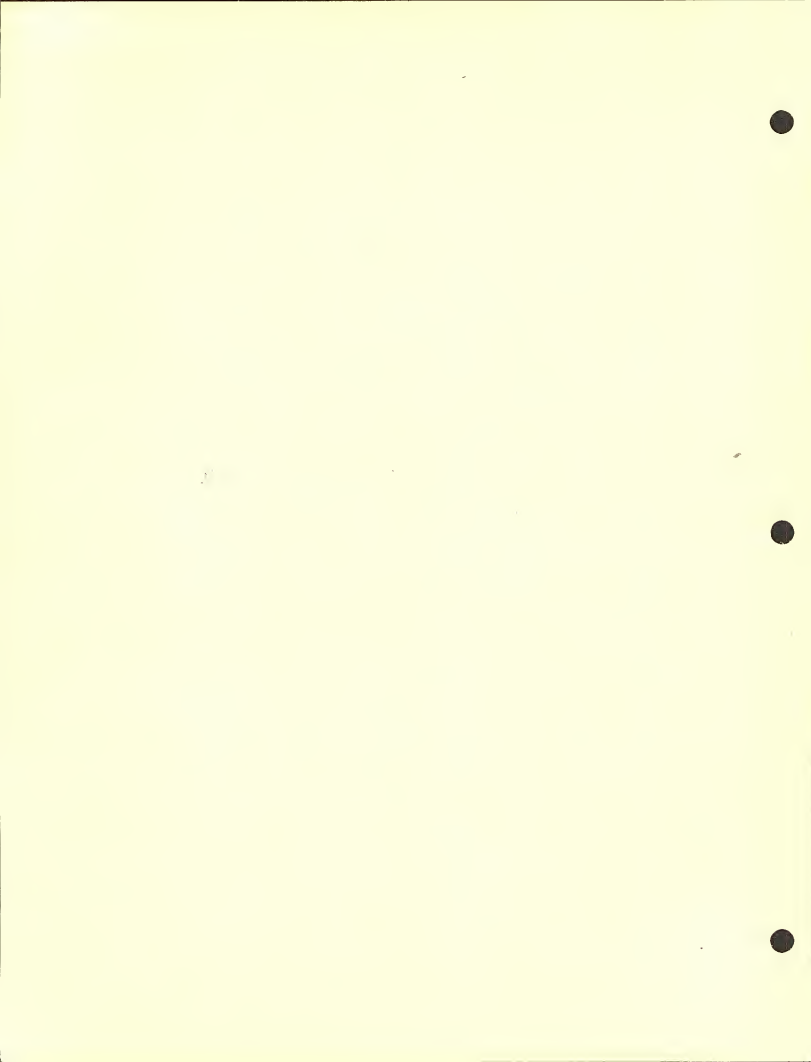
CHAPTER 219  
1951 SESSION LAWS

as amended by

CHAPTER 139  
1953 SESSION LAWS

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GROSS VEHICLE WEIGHT TAX LAW



CHAPTER 219, 1951 SESSION LAWS  
as amended by  
CHAPTER 139, 1953 SESSION LAWS

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GROSS VEHICLE WEIGHT TAX LAW

AN ACT TO PROVIDE FOR A FEE ON TRUCKS, TRAILERS, SEMI-TRAILERS, HOUSE TRAILERS AND BUSSES OPERATING OVER AND UPON THE HIGHWAYS OF THE STATE OF MONTANA AND ON NEW PASSENGER MOTOR VEHICLES ON WHICH NO PROPERTY TAX HAS BEEN PAID AND FOR WHICH THE PURCHASER THEREOF SEEKS TO HAVE LICENSED IN THE STATE OF MONTANA; PROVIDING FOR THE RATE OF SUCH TAX; PROVIDING FOR THE COLLECTION THEREOF BY THE COUNTY TREASURERS OF THE RESPECTIVE COUNTIES IN THE STATE OF MONTANA; PROVIDING FOR THE DEPOSIT OF 95% OF THE PROCEEDS OF SAID TAX IN THE STATE HIGHWAY GENERAL FUND IN THE STATE TREASURY; PROVIDING FOR BLANKS TO BE PROVIDED TO THE COUNTY TREASURERS BY THE MONTANA HIGHWAY COMMISSION; PROVIDING FOR RECIPROCITY AS PROVIDED IN SECTION 53-129, REVISED CODES OF MONTANA, 1947; PROVIDING FOR EXCEPTIONS FOR MOTOR VEHICLES OPERATED FOR HIRE EXCLUSIVELY WITHIN LIMITS OF INCORPORATED CITIES OR TOWNS OR WITHIN FIFTEEN MILES OF SUCH LIMITS; PROVIDING FOR THE RETENTION OF 5% OF SAID TAX BY THE SAID COUNTY TREASURERS; PROVIDING FOR PERMANENT MARKING OF GROSS WEIGHTS ON TRUCKS, TRAILERS, SEMI-TRAILERS, HOUSE TRAILERS, BUSSES, LOGGING TRUCKS AND TRAILERS, STOCK HAULING TRUCKS AND TRAILERS, LOW BOY TRAILERS AND FARM VEHICLES; PROVIDING FOR THE ENFORCE-

MENT OF THE ACT AND PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR THE EFFECTIVE DATE OF THE ACT, AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. In addition to other fees for the licensing of vehicles, there shall be paid and collected annually for each motor truck and truck-tractor, based upon the maximum gross loaded weight thereof as set by the licensee in his application, the following fees:

SCHEDULE I:

Up to 6,000 lbs.	\$ 6.00
6,001 lbs. or more, and less than 8,000 lbs.	<i>16<sup>00</sup></i> <del>12.00</del>
8,001 lbs. or more, and less than 10,000 lbs.	14.00
10,001 lbs. or more, and less than 12,000 lbs.	16.00
12,001 lbs. or more, and less than 14,000 lbs.	18.00
14,001 lbs. or more, and less than 16,000 lbs.	22.00
16,001 lbs. or more, and less than 18,000 lbs.	30.00
18,001 lbs. or more, and less than 20,000 lbs.	40.00
20,001 lbs. or more, and less than 22,000 lbs.	50.00
22,001 lbs. or more, and less than 24,000 lbs.	75.00
24,001 lbs. or more, and less than 26,000 lbs.	<i>100<sup>00</sup></i> <del>95.00</del>
26,001 lbs. or more, and less than 28,000 lbs.	<i>125<sup>00</sup></i> <del>115.00</del>
28,001 lbs. or more, and less than 30,000 lbs.	<i>165<sup>00</sup></i> <del>140.00</del>
30,001 lbs. or more, and less than 32,000 lbs.	<i>210<sup>00</sup></i> <del>170.00</del>
32,001 lbs. or more, and less than 34,000 lbs.	<i>260<sup>00</sup></i> <del>200.00</del>
34,001 lbs. or more, and less than 36,000 lbs.	<i>300<sup>00</sup></i> <del>230.00</del>

36,001 lbs. or more, and less than 38,000 lbs.	\$260.00
38,001 lbs. or more, and less than 40,000 lbs.	290.00
40,001 lbs. or more, and less than 42,000 lbs.	320.00

In addition to other fees for the licensing of vehicles, there shall be paid and collected annually for each trailer and semi-trailer based upon the maximum gross loaded weight described above, and as set by the licensee in his application except as otherwise provided in this Act the following fee:

SCHEDULE II:

Trailers Other Than House Trailers.

<u>Up to 2,500 lbs. for personal use</u>	<u>Exempt</u>
<u>Up to 2,500 lbs. for commercial use</u>	<u>\$ 3.50</u>
<u>2,501 lbs. or more, and less than 6,000 lbs.</u>	<u>4.50</u>
6,001 lbs. or more, and less than 8,000 lbs.	12.00 <del>9.00</del>
8,001 lbs. or more, and less than 10,000 lbs.	14.00 <del>10.50</del>
10,001 lbs. or more, and less than 12,000 lbs.	16.00 <del>12.00</del>
12,001 lbs. or more, and less than 14,000 lbs.	18.00 <del>13.50</del>
14,001 lbs. or more, and less than 16,000 lbs.	22.00 <del>16.50</del>
16,001 lbs. or more, and less than 18,000 lbs.	30.00 <del>22.50</del>
18,001 lbs. or more, and less than 20,000 lbs.	40.00 <del>30.00</del>
20,001 lbs. or more, and less than 22,000 lbs.	50.00 <del>37.50</del>
22,001 lbs. or more, and less than 24,000 lbs.	75.00 <del>56.25</del>
24,001 lbs. or more, and less than 26,000 lbs.	100.00 <del>71.25</del>
26,001 lbs. or more, and less than 28,000 lbs.	125.00 <del>86.25</del>
28,001 lbs. or more, and less than 30,000 lbs.	165.00 <del>105.00</del>
30,001 lbs. or more, and less than 32,000 lbs.	210.00 <del>127.50</del>
32,001 lbs. or more, and less than 34,000 lbs.	255.00 <del>150.00</del>

34,001 lbs. or more, and less than 36,000 lbs.	300.00	<del>\$172.50</del>
36,001 lbs. or more, and less than 38,000 lbs.	345.00	<del>195.00</del>
38,001 lbs. or more, and less than 40,000 lbs.	390.00	<del>217.50</del>
40,001 lbs. or more, and less than 42,000 lbs.	485.00	<del>240.00</del>

Provided further that on motor trucks, trailers, and semi-trailers, which shall travel more than 24,000 miles on the highways of the State of Montana within the calendar year, there shall be paid and collected annually a total fee equal to one hundred twenty-five percent (125%) of the fees provided for in this act, which shall be called the Class A fee. Each vehicle upon which the Class A fee has been paid shall have the letter "A" at least two (2) inches in height marked permanently upon it, immediately preceding the maximum gross weight markings provided for in Section 14 of Chapter 219 of the Session Laws of the Thirty-Second Legislative Assembly of the State of Montana.

All applicants for registration of motor trucks, trailers, and semi-trailers under this Act who do not pay the Class A fee shall furnish an affidavit reciting that the motor truck, trailer, or semi-trailer for which registration is desired will not travel more than 24,000 miles on the highways of the State of Montana within the calendar year and that if such vehicle does travel more than 24,000 miles within such calendar year, the applicant will, as soon as the mileage for such vehicle on the highways of the State of Montana exceeds 24,000 miles, promptly pay the difference between the Class A fee and the fee paid on registration.

In addition to other fees for the licensing of vehicles, there shall be paid and collected annually for each house trailer, based upon over-all length of body as set by the licensee in his application, except as otherwise provided in this Act, a fee equal to fifty cents (50¢) for each foot of over-all trailer body

vided in Schedule I and Schedule II above; provided further, that on "low boy trailers" there shall be paid and collected annually a fee equal to sixty per-cent (60%) of the fees provided in Schedule I and Schedule II above; provided further, that on tractors permanently attached to "low boy trailers" there shall be paid and collected annually a fee equal to sixty percent (60%) of the fees provided in Schedule I and Schedule II above.

Provided further, that there shall be paid and collected annually for each bus or auto stage with the exception of school busses the sum of seven dollars (\$7.00) per seat exclusive of the first seven seats and the operator, for the maximum adult seating capacity thereof; provided further, that motor vehicles which are regularly used to haul freight and passengers shall be taxed upon the basis of the gross weight schedule hereinabove established; provided further, that school busses shall not be exempt if they enter charter service.

Section 2. Additional fees on trucks, truck-tractors, trailers and semitrailers from other states. In lieu of other fees for the licensing of vehicles, there shall be collected a fee for each motor truck, truck-tractor, trailer and semitrailer licensed for that year in another jurisdiction and operated on an itinerant basis in this state upon each entrance into the State of Montana, based upon the application of the non-resident operator, a fee to be computed as follows:

Five dollars (\$5.00) for each trip for the first two hundred (200) miles or less, seven dollars and fifty cents (\$7.50) for each trip over two hundred (200) miles, and up to four hundred (400) miles or less, ten dollars (\$10.00) for each trip over four hundred (400) miles, on any vehicle or on each truck, truck-tractor, semitrailer and full trailer in a combination of said vehicles of over six thousand (6,000) pounds gross weight; provided, however, such fees shall not apply to any trailer the principal use of which is living quarters, temporary or permanent or to any vehicle of a carnival which is under contract with a State, County or District Fair Association.

Such temporary trip permits shall contain such information and be in such form and shall be issued under such rules and regulations as may be prescribed by the state highway commission, and shall be displayed at all times while such vehicle is being operated on the highways of this state by posting the same upon the windshield of each such vehicle or in another prominent place thereon where it may be readily legible. Provided further, that the state highway commission may limit the operation of such vehicles in this state to a definite period of time and provided further that each trip shall be defined as the total number of miles travelled within the State of Montana.

length, exclusive of bumpers and hitch.

Provided, that in lieu of the additional fee provided in this section there shall be collected a fee of five dollars (\$5.00) on any motor truck, truck tractor, trailer or semi-trailer used only for the purpose of transporting any air compressor, rock crusher, conveyor, hoist, wrecker, donkey engine, cook house, tool house or bunk house attached to or made a part of such motor truck, trailer or semi-trailer.

Provided further, on motor trucks, trailers and semi-trailers, owned and operated by ranchers or farmers in the transportation of their own ranch, farm, orchard, or dairy products from a point of production to market, or of supplies, commodities, or equipment to be used on the ranch, farm, orchard, or dairy, or in the infrequent or seasonal transportation by one farmer for another for any purpose other than commercial hire of products of the farm, orchard or dairy, or of supplies or commodities to be used on the farm, orchard or dairy, except motor trucks owned and operated by cooperative associations or cooperative marketing associations, shall be paid and collected annually a fee equal to twenty percent (20%) of the fees provided in Schedule I and Schedule II above; provided, however, the minimum fee under Schedule I shall be four dollars (\$4.00). The terms "trailers and semi-trailers" as used herein shall not include farm wagons.

✓ Provided further, that on motor trucks, trailers, and semi-trailers used exclusively in hauling logs, pole trailers, and ready-mix concrete there shall be paid and collected annually a fee equal to seventy-five percent (75%) of the fees provided in Schedule I and Schedule II above; provided further, that on motor trucks, trailers and semi-trailers hauling livestock there shall be paid and collected annually a fee equal to sixty percent (60%) of the fees pro-

upon all new passenger motor vehicles for which the license is sought, and which have not been otherwise assessed and not subject to assessment and taxation in Montana, a Motor Vehicle Sales Tax, as follows:

One and one-half percent (1-1/2%) of the F.O.B. factory list price of the automobile, during the first quarter of the year; one and one-eighth percent (1-1/8%) of said list price during the second quarter of the year, and three-fourths (3/4) of one percent (1%) during the third quarter of the year, and three-eighths (3/8) of one percent (1%) during the fourth quarter of the year, this assessment to be made when the owner applies for his original Montana license through his county treasurer. The proceeds from this tax should be remitted to the State Treasurer every thirty (30) days for credit of the State Highway Fund.

Section 4. Residents of the State of Montana, or non-residents, who own trucks, trailers or semi-trailers, busses or new passenger automobiles and operate the same upon the highways of the State of Montana shall at the time they make application for their Montana license as provided for in Section 53-114, Revised Codes of Montana, 1947, pay the fees herein prescribed; provided that said resident or non-resident who makes application for a license after the 1st day of July of any year shall pay one-half (1/2) of the fees provided herein.

Section 5. Non-resident owners or operators of trucks, trailers and semi-trailers shall immediately upon arrival in the State of Montana contact the nearest State Highway Patrol or any state highway commission office or the County Sheriff or the County Treasurer's Office and secure the license and pay the fees as in this Act prescribed; provided that all fees collected shall immediately be remitted to the County Treasurer.

Section 6. It shall be the duty of the Montana State Highway Commission to furnish all County Treasurers with the following:

1. Blank application forms and affidavit forms outlining and providing for the information needed in each classification of registration required.

2. Registration, license or certificates in such form as is determined most suitable by the Montana Highway Commission.

3. Such other forms, stickers, certificates or blanks as in the opinion of the Montana Highway Commission are deemed necessary to carry out the provisions of this Act.

Section 7. Each County Treasurer in the State of Montana at the time of application to pay the fees under this act shall retain five percent (5%) of the fees so collected for the cost of administering this Act and the remaining ninety-five percent (95%) shall be remitted monthly to the State Treasurer of the State of Montana for deposit in the State Highway General Fund on forms to be furnished the County Treasurers by the State Highway Commission of the State of Montana.

Section 8. The fees for every truck, trailer or semi-trailer, bus, or automobile registered under this Act shall expire on December 31st of each year. The certificate, registration or license issued hereunder shall be valid only for the period for which issued, and is not transferable to another truck, trailer or semi-trailer, bus, or automobile, but is transferable upon the transfer of title or interest of the legal owner of the truck, trailer or semi-trailer, bus or automobile; provided that if a motor vehicle is destroyed from any cause the fee hereunder may be transferred to a replacement vehicle upon such proof as may be required by the State Highway Commission except that if a smaller vehicle is purchased there shall be no refund.

Section 9. Any owner or operator of a truck, trailer or semi-trailer, bus, or automobile who violates any provision of this Act shall upon conviction thereof be deemed guilty of a misdemeanor and punished by a fine of not more than three hundred dollars (\$300.00) or by a sentence of not more than sixty (60) days in the county jail or both. Whenever the gross laden weight

of any truck, trailer, or semi-trailer operated upon any highway in the State exceeds the gross maximum weight marked upon such vehicle pursuant to Section 14 hereof, the operator thereof shall be required to forthwith unload all cargo in excess of the gross maximum weight for which such vehicle is taxed; and such excess cargo shall not be reloaded until payment shall have been made to the nearest County Treasurer of the amount of the deficiency in the fee provided for in Section 1 hereof, based upon the gross weight of such vehicle immediately before the unloading of such excess cargo, provided it does not exceed the legal axle weight.

Section 10. It shall be the duty of the Montana State Highway Patrol and any designated and duly appointed employee of the State Highway Commission to enforce the provisions of this Act and each member thereof is hereby instructed to make examinations and inspection of trucks, trailers, and semi-trailers, busses or automobiles operating upon the highways in this State, to ascertain whether or not the provisions of this law have been complied with.

Section 11. Reciprocity shall be granted, notwithstanding anything to the contrary herein, in accordance with Section 53-129, Revised Codes of Montana, 1947, and amendments thereto.

Section 12. Motor vehicles operating exclusively for transportation of persons for hire within the limits of incorporated cities or towns and within fifteen (15) miles from such limits shall be exempt from the provisions of this Act; provided that motor vehicles brought or driven into Montana by any non-resident migratory bona fide agricultural worker temporarily employed in agricultural work in this State where said motor vehicles are used exclusively for transportation of agricultural workers shall likewise be exempt from the provisions of this Act.

Section 13. The fees provided in this Act are in consideration of the right to use the highways of the State of Montana, and this Act shall be in full force and effect from and after the first day of January, 1952.

Section 14. Each truck, trailer, semi-trailer or bus shall have permanently marked in clearly visible letters and numbers at least two inches in height on either side of said vehicle, the maximum gross weight or seating capacity for which said vehicle is taxed under this Act. Any such vehicle registered and taxed as a farm, logging or livestock vehicle shall have in addition thereto, and equally visible, the words, "Farm Vehicle", "Logging Vehicle", or "Livestock Vehicle".

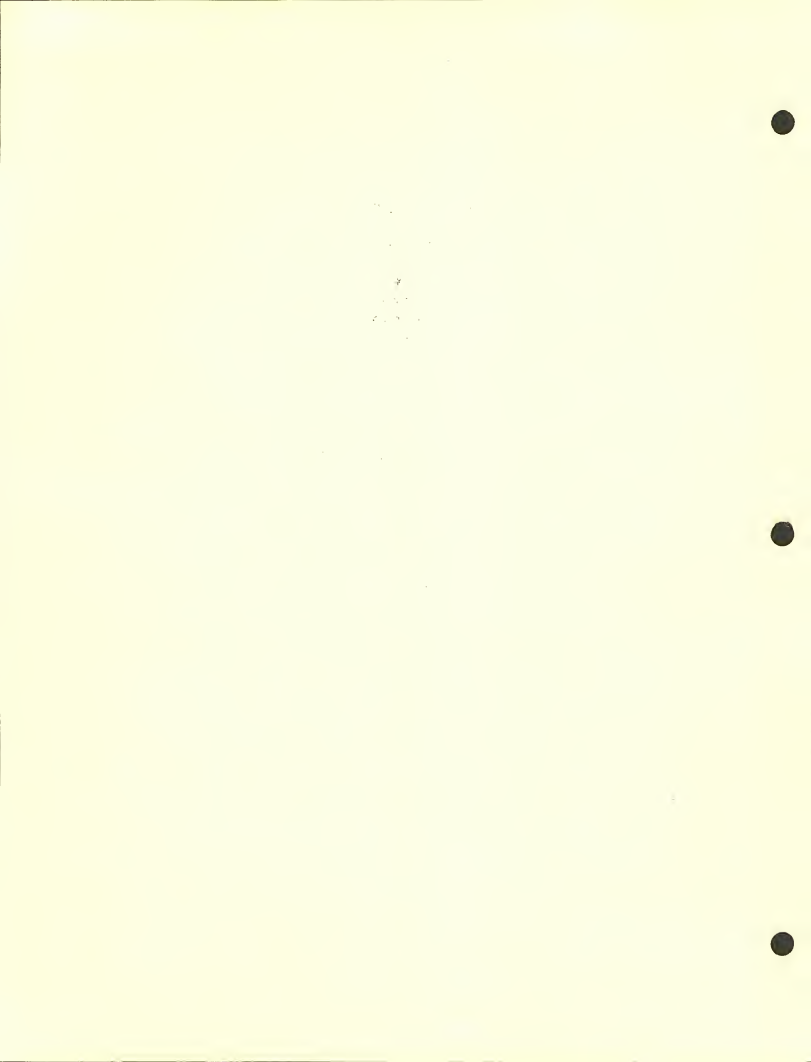
Section 15. Municipalities shall not levy, assess, collect or charge any additional tax other than herein prescribed upon intrastate or interstate carriers of persons or property for hire whether such carriers operate between municipalities or through a municipality and other municipalities. No intrastate or interstate carrier shall be exempt hereby from paying a parking, curb, or ad valorem property tax levied by any municipality.

Section 16. If any clause, sentence, section, paragraph or portion of this Act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, section, paragraph or portion directly adjudged to be invalid or inoperative.

CHAPTER 133  
1953 SESSION LAWS

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CARAVAN LAW



CHAPTER 133, LAWS OF MONTANA, 1953

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CARAVAN LAW

AN ACT TO PROVIDE FOR THE PAYMENT OF FEES AND ISSUANCE OF PERMITS TO PERSONS, FIRMS AND CORPORATIONS TRANSPORTING NEW VEHICLES OVER THE HIGHWAYS, FROM MANUFACTURING OR ASSEMBLING POINTS TO DEALERS IN THIS STATE OR IN OTHER STATES, TERRITORIES, FOREIGN COUNTRIES OR PROVINCES, BY DRIVE-AWAY OR TOW-AWAY METHODS, WHERE SUCH VEHICLE WILL ONLY BE TRANSPORTED ON THE HIGHWAYS OF MONTANA ONCE; PROVIDING FOR THE FEES FOR ISSUANCE OF TRANSIT PLATES; PROVIDING FOR THE COLLECTION OF SUCH FEES BY THE REGISTRAR OF MOTOR VEHICLES; PROVIDING FOR THE DISPLAY OF SUCH TRANSIT PLATES; PROVIDING FOR THE FURNISHING OF LIST OF PERMIT HOLDERS AND TRANSIT PLATES TO THE STATE HIGHWAY COMMISSION; PROVIDING FOR THE PAYMENT OF TRIP FEES; PROVIDING FOR THE DEPOSIT OF 95 PERCENT OF SUCH FUNDS FROM TRIP FEES IN THE STATE HIGHWAY FUND IN THE STATE TREASURY; PROVIDING THAT THE FEES ARE IN ADDITION TO FEES DUE AND PAYABLE BY FOR-HIRE CARRIERS; PROVIDING THAT THE FEES ARE IN LIEU OF CERTAIN OTHER FEES AND ARE IN CONSIDERATION OF THE USE OF THE HIGHWAYS OF THIS STATE; PROVIDING THAT THIS ACT SHALL NOT APPLY TO CERTAIN VEHICLES; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. Every person, firm, partnership or corporation, regularly and lawfully engaged in the transportation of new vehicles over the highways of this State from manufacturing or assembly points to agents of manufacturers and dealers in this State or in other states, territories, foreign countries or provinces, by the drive-away or tow-away methods, where such vehicles being driven, towed or transported by the saddle-mount, tow-bar or full-mount methods, or any lawful combination thereof, will be transported over the highways of the State of Montana but once, may annually apply to the Registrar of Motor Vehicles for a permit to use the highways of this State, and shall pay, upon filing such application, a fee of one hundred dollars. Upon processing of the application, the Registrar of Motor Vehicles shall issue an annual permit to the applicant. The permit holder may also apply to the Registrar of Motor Vehicles for a sufficient number of distinctive transit plates or devices showing the permit number for identification of the vehicles being transported by the permit holder, and such plates or devices may be used on any vehicle being driven, towed or transported by and under the control of the permit holder. The Registrar of Motor Vehicles shall collect the additional sum of one dollar for each pair of transit plates or devices applied for and issued. The Registrar of Motor Vehicles shall retain the permit and plate fees to defray costs of administering this act.

Section 2. The permit and transit plates or devices expire on December 31st of each year.

Section 3. Each vehicle or combination of vehicles transported over the highways of the State of Montana by the permit holder shall display in a prominent position thereon, the distinctive transit plates or devices, the towing vehicle displaying such on the front thereof and a towed vehicle on the rear thereof.

Section 4. The Registrar of Motor Vehicles shall furnish the State Highway Commission with a list of the permit holders and of the transit plates or devices issued to such permit holders.

Section 5. In addition to the permit and plate fees, a permit holder using same shall pay to the Registrar of Motor Vehicles a one-trip fee of five dollars per driven vehicle, such being payable quarterly upon such forms as recommended or supplied by the Registrar of Motor Vehicles, for that purpose, and such payment shall be made within fifteen days following the end of each quarter.

Section 6. The Registrar of Motor Vehicles shall retain five percent of the funds collected in payment of the trip fees to defray the costs of administration, and the remaining ninety-five percent shall be remitted monthly, on or before the fifteenth day of the month after collection, to the Treasurer of the State of Montana for deposit in the State Highway Fund.

Section 7. The fees herein provided are in addition to any fees now payable by for-hire carriers under the provisions of Chapter 1, Title 8, Revised Codes of Montana, 1947, as amended.

Section 8. The fees provided in this Act are in lieu of all other fees including those which might be payable under the provisions of Title 53, Revised Codes of Montana, 1947, as amended, or Chapter 219, Laws of 1951 as amended, and are declared to be in consideration of the right to use the highways of the State of Montana, provided however, that any such person, firm, partnership or corporation may elect to pay the fees payable under the provisions of Chapter 219, Laws of 1951, as amended, in lieu of complying with the provisions of this Act.

Section 9. This act shall not apply to vehicles regularly used in the

hauling of vehicles by the truck-away method nor to the vehicles so transported, vehicles operated under dealers' licenses or plates, vehicles registerable under any other provisions of law, or to any person not issued a permit hereunder.

Section 10. All acts and parts of acts in conflict herewith are hereby repealed.

Section 11. This act shall be in full force and effect from and after its passage and approval.

53-132, Revised Codes of Montana, 1947. (1760.10) Penalties. Any person operating a vehicle in violation of the intent and purpose of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than ten dollars (\$10), or more than fifty dollars (\$50), or confined in the county jail for not more than thirty (30) days, or both such fine and imprisonment.

(History: En. Sec. 11, Ch. 121, L. 1929;  
amd. Sec. 10, Ch. 126, L. 1933)

Automobiles & 57  
42 C.J. Motor Vehicles  
§192.

CHAPTER 73  
1953 SESSION LAWS

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SIZE AND WEIGHT LAW



CHAPTER 73, LAWS OF MONTANA, 1953

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SIZE AND WEIGHT LAW

Approved Feb. 25, 1953

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 32-1123, REVISED CODES OF MONTANA, 1947, RELATING TO UNIFORM STANDARDS GOVERNING THE MAXIMUM DIMENSIONS, WEIGHTS, AND SPEEDS OF MOTOR VEHICLES OPERATING OVER THE HIGHWAYS OF THE STATE OF MONTANA, AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT THEREWITH."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 32-1123, Revised Codes of Montana, 1947, be amended to read as follows:

"32-1123. STANDARDS OF MAXIMUM DIMENSIONS, WEIGHTS, SPEEDS, ETC. The following standards are hereby made applicable to, and shall govern the maximum dimensions, weights, and speeds of motor vehicles, and other characteristics and factors thereof, operating over the highways of, and in the State of Montana, to the exclusion of any other standards or any other requirements respecting the subject matter:

(1) WIDTH--No vehicle, unladen or with load, shall have a total outside width in excess of 96 inches.

(2) HEIGHT--No vehicle, unladen or with load, shall exceed a height of 13 feet, 6 inches.

(3) LENGTH

(a) No single truck, unladen or with load, shall have an over-all

length, inclusive of front and rear bumpers, in excess of 35 feet.

(b) No single bus, unladen or with load, shall have an over-all length, inclusive of front and rear bumpers, in excess of 40 feet.

(c) No combination of truck-tractor and semi-trailer, unladen or with load, shall have an over-all length, inclusive of front and rear bumpers, in excess of 60 feet.

(d) No other combination of vehicles shall consist of more than two units, and no such combination of vehicles, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of 60 feet.

#### (4) SPEED

(a) Minimum speed. No motor vehicle shall be unnecessarily driven at such slow speed as to impede or block the normal and reasonable movement of traffic. Exception to this requirement shall be recognized when reduced speed is necessary for safe operation or when a vehicle or combination of vehicles is necessarily or in compliance with law or police direction proceeding at reduced speed.

(b) Maximum speed. No truck shall be operated at a speed greater than 45 miles per hour. Passenger vehicles may be operated at such speeds as shall be consistent at all times with safety and the proper use of the roads.

(c) Vehicles equipped with solid rubber on cushion tires shall be operated at a speed not in excess of 10 miles per hour.

#### (5) PERMISSIBLE LOADS

(a) No axle shall carry a load in excess of 18,000 lbs. An axle load shall be defined as the total load transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes

40 inches apart, extending across the full width of the vehicle.

(b) The gross weight of any group of axles of any vehicle or combination of vehicles, when the distance between the first and last axles of any group of axles is 18 feet or less and the gross weight of any vehicle when the distance between the first and last axles of all the axles of the vehicle is 18 feet or less, shall not exceed that set forth in the following table of weights:

Distance in Feet Between the First and Last Axles of Any Group of Axles of Any Vehicle or Combina- tion of Vehicles, or Be- tween the First and Last Axles of All of the Axles of Any Vehicle	Maximum Gross Weight, In Pounds, of Any Group of Axles of Any Vehicle or Combination of Vehicles, or of Any Vehicle
4	32,000
5	32,000
6	32,200
7	32,900
8	33,600
9	34,300
10	35,000
11	35,700
12	36,400
13	37,100
14	43,200
15	44,000
16	44,800
17	45,600
18	46,400

(c) The gross weight of any vehicle or combination of vehicles, where the distance between the first and last axles of the vehicle or combination of vehicles is more than 18 feet, shall not exceed that set forth in the following table of weights:

Distance in Feet Between  
the First and Last Axles  
of all of the Axles of a  
Vehicle or Combination of  
Vehicles

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Maximum Gross Weight, In  
Pounds, or any Vehicles or  
Combination of Vehicles

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18	46,400
19	47,200
20	48,000
21	48,800
22	49,600
23	50,400
24	51,200
25	55,250
26	56,100
27	56,950
28	57,800
29	58,650
30	59,500
31	60,350
32	61,200
33	62,050
34	62,900
35	63,750
36	64,600
37	65,450
38	66,300
39	67,150
40	68,000
41	68,000
42	68,000
43	68,000
44	68,000
45	68,000
46	68,800
47	69,600
48	70,400
49	71,200
50	72,000
51	72,800
52	73,600
53	74,400
54	75,200
55	76,000

Distance in Feet Between  
the First and Last Axles  
of all of the Axles of a  
Vehicle or Combination of  
Vehicles

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Maximum Gross Weight, In  
Pounds, or any Vehicles or  
Combination of Vehicles

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56  
57

76,400  
76,800

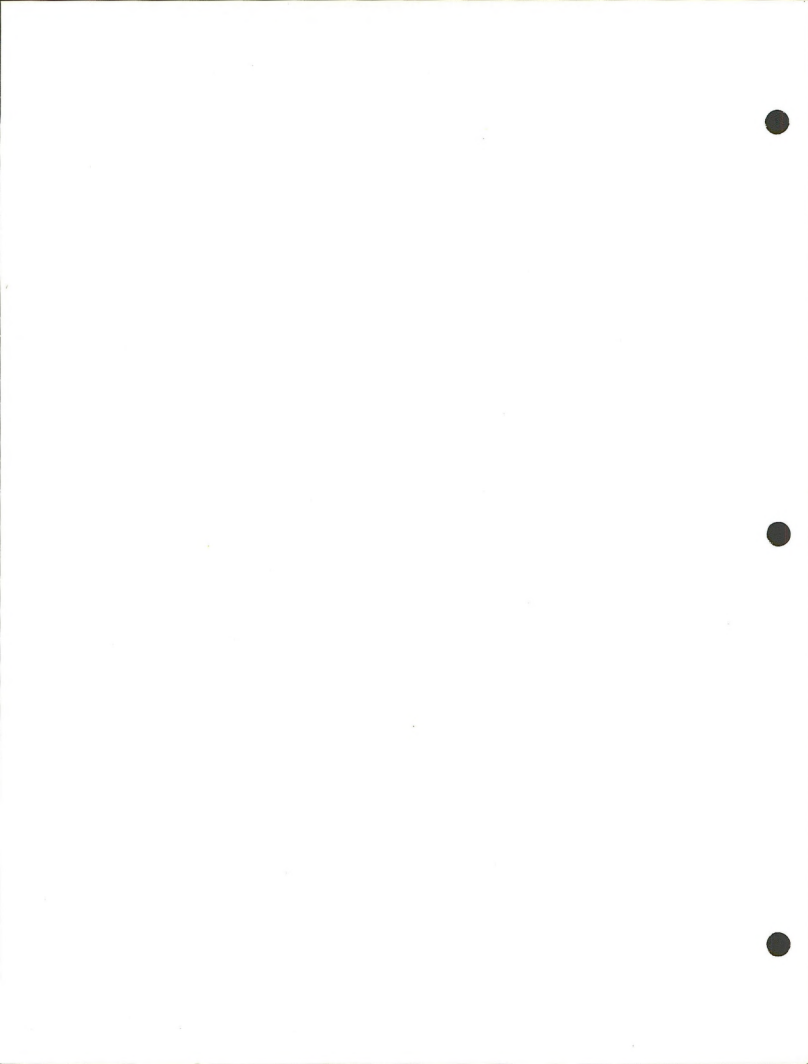
(d) The distance between axles shall be measured to the nearest foot. When a fractional measurement is exactly one half foot the next larger whole number shall be used.

(e) The maximum axle and axle group loads stated in paragraphs (a), (b) and (c) of clause (5) above are subject to reasonable reduction in the discretion of the State Highway Commission during periods when road sub-grades have been weakened by water saturation or other cause; provided that the maximum limitations expressed in paragraphs (a), (b) and (c) of clause (5) shall not apply to the incidental and occasional use of such highways by vehicles not usually, or ordinarily engaged in highway use and employed primarily in agricultural or industrial uses other than on such highways.

(f) The operation of vehicles or combination of vehicles having dimensions or weights in excess of the maximum limits herein recommended shall be permitted only if and when authorized by special permit issued by the State Highway Commission or its officers, supervisors, or agents acting pursuant to duly delegated authority from said Commission, including the State Highway Patrol".

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

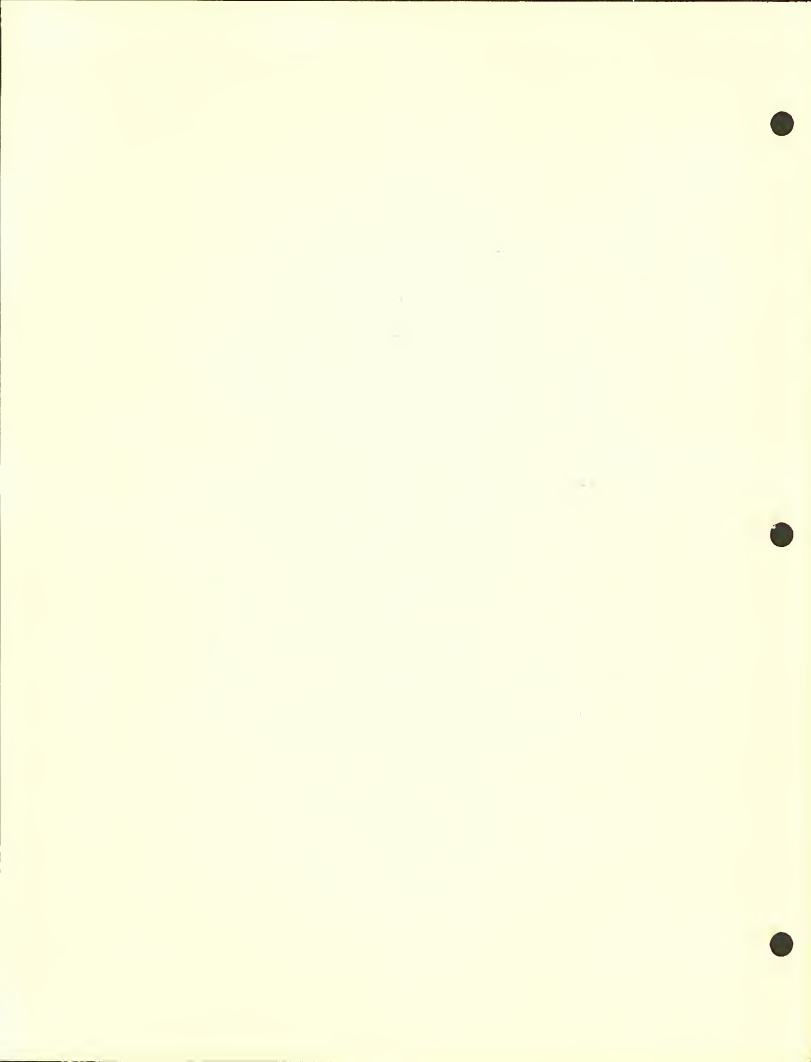
Section 3. This act shall be in full force and effect from and after its passage and approval.



CHAPTER 115  
1953 SESSION LAWS

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REGISTRATION CERTIFICATES



CHAPTER 115, LAWS OF MONTANA, 1953

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REGISTRATION CERTIFICATES

Approved Feb. 28, 1953

AN ACT TO AMEND SECTION 53-107, REVISED CODES OF MONTANA, 1947, RELATING TO CERTIFICATES OF REGISTRATION AND OWNERSHIP--CONTENTS, ISSUANCE, ENTRY, ASSIGNMENT OF NUMBERS, REGISTRATION CARD TO BE SIGNED, CARRIED, AND EXHIBITED ON DEMAND, AND REPEALING ALL OTHER ACTS AND PARTS OF ACTS IN CONFLICT HERewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 53-107, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

"53-107. (1758) CERTIFICATES OF REGISTRATION AND OWNERSHIP--CONTENTS, ISSUANCE, ENTRY, ASSIGNMENT OF NUMBERS--REGISTRATION CARD TO BE SIGNED, CARRIED AND EXHIBITED ON DEMAND. Upon receiving the original application for registration, duly executed in proper form, the Registrar of Motor Vehicles shall cause to be entered the information contained in said application upon the corresponding records of his office and shall furnish the applicant a certificate of registration and a certificate of ownership, and said owner shall at all times retain possession of the certificate of ownership, except when the same is being transmitted to and from the Registrar of Motor Vehicles for endorsement or cancellation. In the event the said certificate of ownership be in the possession or under the control of any person other than the person entitled to

operate and possess the motor vehicle the same must be surrendered to the person entitled to operate and possess such motor vehicle, upon demand, and refusal shall constitute a misdemeanor. At the same time, he shall issue to any conditional sales vendor, or other person holding the legal title to the vehicle, or any mortgagee thereof, or other lien holder, a statement of the filing of such conditional sales contract, mortgage or other lien, said certificate of registration and ownership shall meet the following requirements:

"The certificate of registration and the certificate of ownership shall each contain upon the face thereof: (1) the date issued, (2) the registration number assigned to the owner and the vehicle, (3) the name and complete address of the owner and the name and complete address of any conditional sales vendor, and also the name and address of any other lienor as shown by said application, (4) a description of the registered vehicle including the year built and serial number, if any, (5) any lien against such motor vehicle and the amount due at the date of registration, and such other statement of facts as may be determined by the Registrar.

"The reverse side of the certificate of ownership only shall contain a form of notice to the Registrar of a transfer of title or interest of the owner and such other statement on forms as may be determined by the Registrar.

"Registration card to be signed, carried, and exhibited on demand.

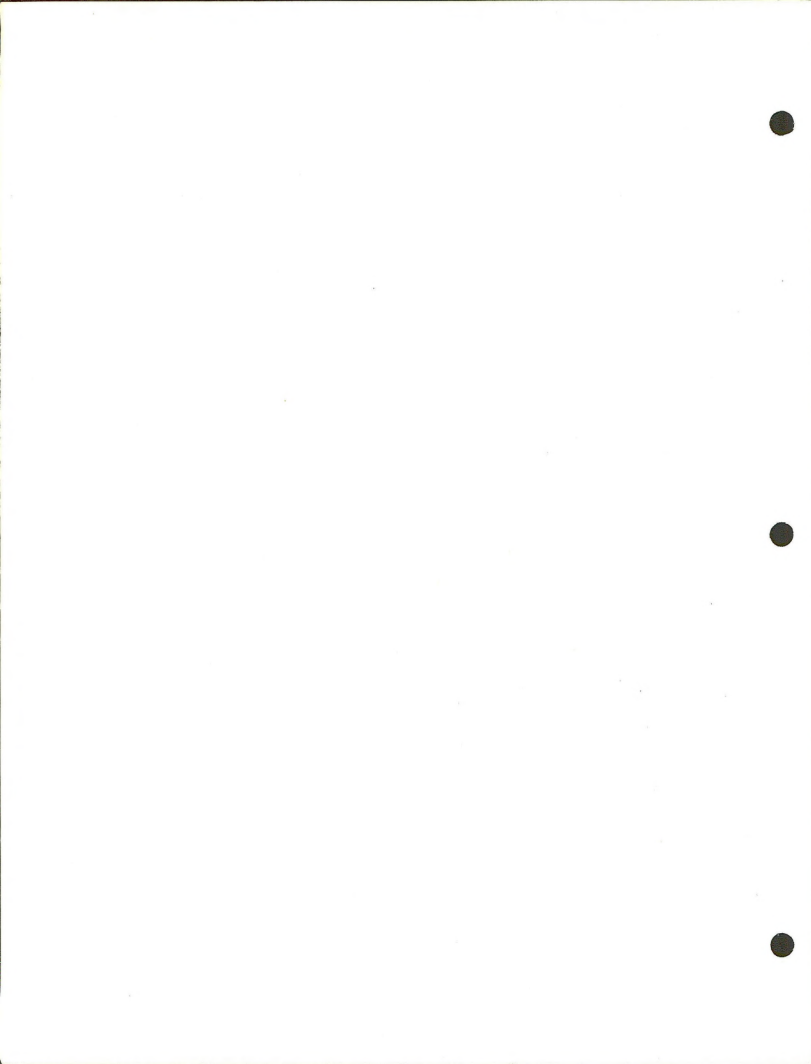
(a) Every owner upon receipt of a registration card shall write his signature thereon with pen and ink in the space provided. Every such registration card shall at all times be carried in the vehicle to which it refers or shall be carried by the person driving or in control of such vehicle who shall display the same upon demand of a police officer or any officer or employee of the Registrar of Motor Vehicles or the Highway Department.

"(b) The provisions of this Section requiring that a registration card be carried in the vehicle to which it refers or by the person driving the same shall not apply when such card is used for the purpose of making application for renewal of registration or upon a transfer of registration of said vehicle, provided that when such certificate has been surrendered for re-registration that a current official receipt of a County Treasurer for such re-registration be carried in lieu of such certificate until the new certificate is received.

"The term 'motor vehicle' includes automobile, truck, motorcycle, semi-trailer, trailer and trailer house.

"Any trailer, semi-trailer or trailer house which does not have a manufacturer's or other identifying number thereon shall be assigned an identification number by the Registrar upon registration of such motor vehicle. The owner or other person lawfully in possession of such motor vehicle shall stamp such number so assigned by the Registrar upon the principal right frame member of said vehicle near the front end thereof where it may be clearly and readily seen, and said stamping shall be promptly accomplished after notice of the assigned number by the Registrar. The Registrar may withhold reagristration until satisfactory proof, by affidavit, of such stamping is filed with him."

Section 2. That all Acts and parts of Acts in conflict herewith are hereby repealed.

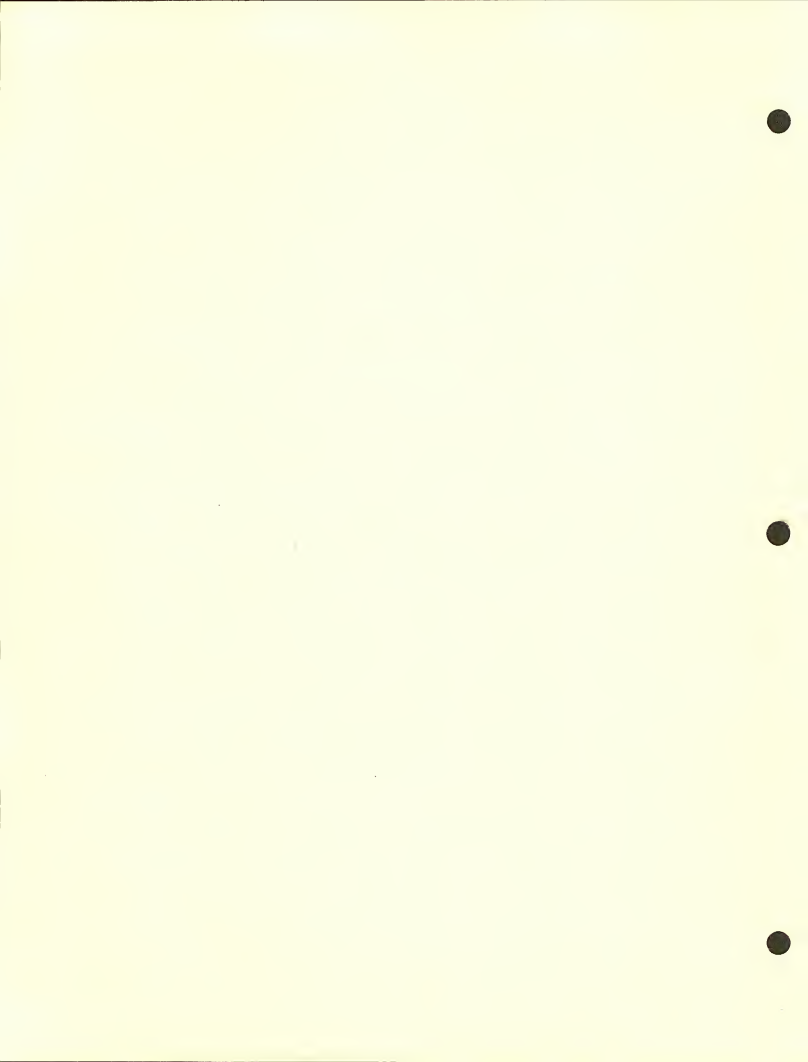


CHAPTER 215

LAWS OF MONTANA, 1953

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REGISTRATION FEES OF MOTOR VEHICLES



CHAPTER 215, LAWS OF MONTANA, 1953

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REGISTRATION FEES OF MOTOR VEHICLES

AN ACT AMENDING SECTION 53-122 OF THE REVISED CODES OF MONTANA, 1947, AS AMENDED BY CHAPTER 221 OF THE SESSION LAWS OF THE THIRTY-SECOND LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA, RELATING TO REGISTRATION FEES OF MOTOR VEHICLES - FEES - DISPOSAL OF PROCEEDS - FEE FOR HALF YEAR - DEALERS' REGISTRATION AND TRANSFER THEREOF - PUBLIC OWNED VEHICLES EXEMPT FROM LICENSE OR REGISTRATION FEES - LICENSE OR REGISTRATION FEES FOR TRAILERS, HOUSE TRAILERS, SEMITRAILERS AND TRACTORS - PROVIDING FOR CERTAIN EXEMPTIONS - PROVIDING FOR TRANSFER OF FUNDS FROM THE MOTOR VEHICLE FUND OF THE REGISTRAR OF MOTOR VEHICLES TO THE MOTOR VEHICLE RECORDING FUND (SOMETIMES CALLED THE MOTOR VEHICLE ADMINISTRATIVE FUND) - PROVIDING FOR DEPOSIT OF ALL FEES, OTHER THAN LICENSE FEES, EXCEPT DEALER LICENSE FEES, COLLECTED BY THE REGISTRAR OF MOTOR VEHICLES, IN SAID MOTOR VEHICLE RECORDING FUND FOR THE PAYMENT OF EXPENSES OF THE MAINTENANCE AND OPERATION OF THE DEPARTMENT OF THE REGISTRAR OF MOTOR VEHICLES.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 53-122 of the Revised Codes of Montana, 1947, as amended by Chapter 221 of the Session Laws of the Thirty-Second Legislative Assembly, be, and the same is hereby amended to read as follows:

"53-122. Registration Fees of Motor Vehicles - Fees - Disposal of Proceeds - Fee for Half Year - Dealers' Registration and Transfer Thereof - Public Owned Vehicles Exempt from License or Registration Fees - License or Registration Fees for Trailers, House Trailers, Semi-trailers, and Tractors - Providing for Transfer of Funds from the Motor Vehicle Fund of the Registrar of Motor Vehicles to the Motor Vehicle Recording Fund (Sometimes Called the Motor Vehicle Administrative Fund) - Providing for Deposit of all Fees, Other Than License Fees, Except Dealer License Fees, Collected by the Registrar of Motor Vehicles, in said Motor Vehicle Recording Fund for the Payment of Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Registration or license fees shall be paid upon registration or re-registration of motor vehicles, trailers, house trailers, semi-trailers and dealers in motor vehicles, trailers or automobile accessories in accordance with this Act, as follows:

Dealers in motor vehicles other than motorcycles, a minimum fee of thirty dollars (\$30.00) which shall entitle such dealer to two (2) sets of number plates, and five dollars (\$5.00) additional fee for each additional set of number plates up to six (6) sets, and two dollars (\$2.00) additional fee for each additional set of number plates, as may be applied for by such dealer; provided, that each dealer be required to furnish the Registrar of Motor Vehicles a statement showing the makes of motor vehicles handled by him, and the total number of each make sold by him during the preceding year, and that he not be issued a license unless he so conforms;

Dealers in motorcycles, trailers including house trailers, fifteen dollars (\$15.00);

Dealers in automobile accessories, except automobile dealers,  
ten dollars (\$10.00);

Motor vehicles, weighing twenty-eight hundred and fifty (2,850)  
pounds, or under, other than motor trucks, five dollars (\$5.00);

Motor vehicles, weighing over twenty-eight hundred and fifty  
(2,850) pounds, other than motor trucks, ten dollars (\$10.00);

Electrically driven passenger vehicles, ten dollars (\$10.00);

All motorcycles, two dollars (\$2.00);

Tractors and/or trucks, ten dollars (\$10.00);

Busses shall be classed as motor trucks and licensed accordingly;

Trailers and semi-trailers less than two thousand five hundred  
(2,500) pounds maximum gross loaded weight and house trailers of all weights,  
two dollars (\$2.00);

Trailers and semi-trailers over two thousand five hundred (2,500)  
up to six thousand (6,000) pounds maximum gross loaded weight, except house  
trailers, five dollars (\$5.00);

Trailers and semi-trailers over six thousand (6,000) pounds max-  
imum gross loaded weight, ten dollars (\$10.00);

Trailers used exclusively in the transportation of logs in the for-  
est or in the transportation of oil and gas well machinery, road machinery  
and bridge material exclusively, new and secondhand, and trailers used ex-  
clusively for the transportation of road machinery and bridge materials,  
shall pay a fee of fifteen dollars (\$15.00) annually, regardless of size or cap-  
acity.

All rates to be twenty-five percent (25%) higher for motor vehicles,  
trailers and semi-trailers, when not equipped with pneumatic tires;

Bicycles with motor attachments, one dollar (\$1.00).

Tractors, as specified in this section, shall mean any motor vehicle, except passenger cars, used for towing a trailer or semi-trailer.

All license or registration fees collected by the County Treasurer of the County in which any motor vehicle is registered shall be credited to the motor vehicle license fund of said county. The funds in said county motor vehicle fund shall be used as follows:

(a) Fifty per cent (50%) of the net license fees derived from the registration of motor vehicles, the owners of which reside within the boundaries of any incorporated city of the State of Montana, having a population of thirty-five thousand (35,000) or more, or the owners of which reside within the boundaries of any incorporated city of the State of Montana which lies within one (1) mile of the city limits of an incorporated city of the State of Montana having a population of thirty-five thousand (35,000) or more, according to the federal census of 1930, shall be held by the county treasurer and segregated from other county road funds and designated as 'city road fund', to be used in the city from which fees were derived for the construction of permanent streets within the incorporated limits of such city.

(b) The license fees held in the city road fund, as heretofore provided, shall be used by the city council of such city having the population of thirty-five thousand (35,000) or more, or by the city council of such city which lies within one (1) mile of the city limits of an incorporated city of the State of Montana, having a population of thirty-five thousand (35,000) or more, according to the federal census of 1930, only for the construction of permanent highways and streets within the boundaries of such incorporated city. Provided, that all construction of public highways and streets, the cost of which is to be

paid out of the fund derived from the license fees as herein provided, shall be under the supervision of the county surveyor of the county within whose boundaries such city is situated, subject to the control of the said city council and surveyor to designate the public highway or street upon which the work is to be done, and the type of pavement to be used, and provided further, that the cost of supervision of the county surveyor shall not exceed five percent (5%) of the cost of said work.

(c) The net license fees derived from the registration of motor vehicles shall be by the registrar of motor vehicles transmitted to, and paid over to the county treasurer of the county from which the registration fee came, such fees, excepting apportionment to the city road fund, to be used by said county for the construction, repair, and maintenance of all public highways, except state and federal highways, within the boundaries of said county, including city streets forming component parts of arterial highways within the corporate cities of less population than thirty-five thousand (35,000), according to the federal census of 1930, within the boundaries of said county.

If any dealer, or motor vehicle, house trailer, trailer, or semi-trailer is originally registered six (6) months after the time of registration as set by law, the registration or license fee for the remainder of such year shall be one-half (1/2) of the regular fee above given.

A dealer in motor vehicles, trailers or automobile accessories who shall maintain more than one (1) place of business or who shall maintain any branch establishment or establishments, must register and pay a registration or license fee for each such place of business or establishment.

A registered dealer, who may sell or dispose of his entire business to any other person, may have his certificate of registration transferred to such

purchaser upon filing with the registrar of motor vehicles a statement containing the name of the registered dealer, the number under which such dealer is registered, the name of the purchaser, and the location of the place of business so sold. Upon the filing of such statement, accompanied by a filing fee of one dollar (\$1.00), the registrar of motor vehicles shall note upon the registration record of such dealer the change of ownership. But no certificate of registration can be transferred unless the entire business of the dealer holding such certificate of registration be sold and disposed of, and no such certificate of registration can be transferred to any person other than the purchasers of such business.

The provisions of this act with respect to the payment of registration fees shall not apply to or be binding upon motor vehicles, trailers, or semi-trailers, or tractors owned or controlled by the United States of America or any state, county or city, but in all other respects the provisions of this Act shall be applicable to and binding upon motor vehicles, tractors, trailers, and semi-trailers.

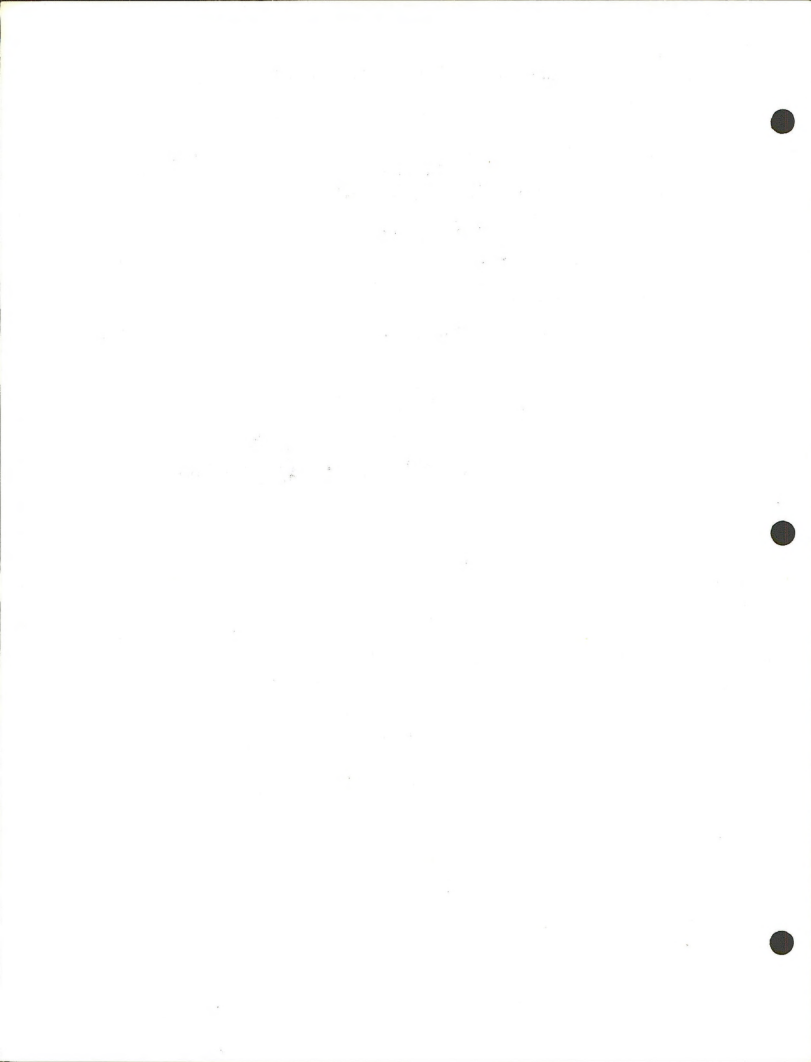
All fees, other than license fees, mentioned and described in sections 53-110 and 53-112, and in section 53-135, shall hereafter be deposited in, and paid into, the motor vehicle recording fund of said registrar (sometimes called the motor vehicle administration fund) out of which shall be paid all salaries, operating expenses, and all other expenses of the department of the registrar of motor vehicles.

There shall be immediately transferred from the motor vehicle fund of the registrar of motor vehicles to the said motor vehicle recording fund all moneys now in said motor vehicle fund which were collected by the Registrar of Motor Vehicles as fees other than license fees.

Whenever, in the judgment of the state board of examiners, there shall be in said motor vehicle recording fund more moneys than are reasonably required or needed to pay all salaries, operating expenses, and all other expenses of the department of the registrar of motor vehicles, such board shall distribute such unneeded surplus or excess to the fifty-six (56) counties of the State in a pro rata manner based upon the total number of motor vehicles registered in each county. "

Section 2. This act shall be in full force and effect upon its passage and approval.

Section 3. All Acts and parts of Acts in conflict herewith are hereby repealed.



CHAPTER 219

1951 SESSION LAWS

as amended by

CHAPTER 139

1953 SESSION LAWS

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GROSS VEHICLE WEIGHT TAX LAW





STATE OF MONTANA  
**HIGHWAY COMMISSION**

HELENA

June 21, 1955

TO: ALL COUNTY TREASURERS, SHERIFFS, MAINTENANCE ENGINEERS,  
HIGHWAY PATROLMEN AND WEIGHMEN.

SUBJECT: IDAHO RECIPROCITY AGREEMENT

EFFECTIVE: AT ONCE

The Registrar of Motor Vehicles has advised that he has signed a new reciprocal agreement with the State of Idaho. A copy of this agreement is attached. Please place it in your G.V.W. Manual. Please remove the Idaho reciprocity letter of January 11, 1954.

1. IDENTIFICATION:

Idaho domiciled vehicles may be identified by Title Number on Registration Card.

2. This agreement applies to bona fide residents of Idaho or Montana only.

3. TRUCKS, TRACTORS, TRAILERS, AND SEMI-TRAILERS:

All vehicles in this category having a REGISTERED gross vehicle weight of less than 24,000 lbs. shall be granted full reciprocity.

TRUCKS, TRACTORS, TRAILERS, AND SEMI-TRAILERS:

All vehicles in this category, having a REGISTERED gross vehicle weight in EXCESS of 24,000 lbs. shall purchase Temporary Trip Permits or pay full registration.

4. DEALER'S LICENSE:

Shall be granted full reciprocity when used in the conduct of the dealers business. Reciprocity shall NOT be granted for delivery on sale, or solicit or demonstrate vehicles in the other state. Reciprocity shall NOT be granted for caravanning cars with dealer plates

continued-

5. INTRA-STATE OPERATION:

Reciprocity shall NOT be granted for any vehicles used in intra-state operation in either State. Full registration is required.

6. PASSENGER CARS AND NON-COMMERCIAL TRAILERS:

Passenger cars are granted full reciprocity. Non-commercial trailers granted full reciprocity when towed by a passenger car.

7. TAXICABS, HEARSEs, AMBULANCES, WRECKERS AND MOTORCYCLES:

These vehicles shall be granted full reciprocity.

Yours very truly,

SCOTT P. HART  
State Highway Engineer

By *Charles S. King*  
Charles S. King  
Planning Survey Engineer

CSK:jp

MOTOR VEHICLE RECIPROCITY AGREEMENT  
BETWEEN THE STATES OF MONTANA AND IDAHO

In consideration of the mutual covenants hereinafter set forth, it is hereby agreed by and between the State of Montana and the State of Idaho through their respective duly authorized representatives and to the extent permitted by the laws of each state, as follows:

I. **APPLICABILITY.** The agreement shall apply only to those persons, firms, associations and corporations who or which are bona fide residents or, maintain a principal place of business in, one of the states a party hereto.

II. **VEHICLE REGISTRATION AND CLASSIFICATION.** Except as otherwise specifically provided herein, the registration and classification of vehicles for purposes of application of this agreement shall be determined in accordance with the laws, including regulations made hereunder, of the respective states.

III. **PRIVATE PASSENGER CARS AND TRAILERS.** Privately owned and operated passenger cars and non-commercial trailers in tow thereof, when properly licensed in the state of domicile, shall be accorded full license fee reciprocity in the other state.

IV. **TAXICABS, HEARSEs, AMBULANCES, WRECKERS AND MOTORCYCLES.** Taxicabs, hearses, ambulances, wreckers and motorcycles, when properly licensed in the state of domicile, shall be accorded full license fee reciprocity in the other state.

V. **DEALER OWNED VEHICLES.** Motor vehicles, trailers and semi-trailers when owned, operated and licensed by dealers who are properly registered in either state, shall be accorded full license fee reciprocity when used in conduct of the dealer's business, provided that no dealer may make delivery on sale or solicit or demonstrate vehicles in the other state unless the vehicle being so delivered or used to solicit or demonstrate is actually licensed in the other state, and further provided that this section shall not be construed to constitute a waiver of any fees required to be paid on the caravanning of vehicles under the laws of either state.

VI. **OTHER VEHICLES.** Other motor vehicles, trailers and semi-trailers, shall when properly domiciled and licensed in the State of Montana be entitled to full registration fee reciprocity in the State of Idaho, and when properly domiciled and licensed in the State of Idaho be entitled to full registration fee and gross vehicle weight tax reciprocity in the State of Montana except that in respect to vehicles weighing in excess of 24,000 pounds declared gross weight, such vehicles shall, when properly domiciled in the State of Montana be allowed to operate in the State of Idaho on either the Idaho full registration fees or temporary trip permits, and shall, when properly domiciled in the State of Idaho, be required upon operation in the State of Montana, to fully register or purchase Montana itinerant trip permits.

VII. **INTRA-STATE OPERATIONS EXCLUDED.** None of the provisions of this agreement shall apply to vehicles engaged in intra-state operations within either state a party hereto.

VIII. EFFECTIVE DATE AND CANCELLATION PROVISION. This agreement shall become effective on June 1, 1955, and shall rescind and supersede all motor vehicle reciprocity agreements heretofore entered into between the states a party hereto, and shall continue in full force and effect, subject to statutory and negotiated alterations and regulations made by the respective states pursuant hereto, until terminated by thirty days written notice from one state to the other.

IX. IN WITNESS WHEREOF, the duly authorized officials of the states a party hereto and hereinabove named, do hereunto set their respective hands and seals this 9th day of June, 1955.

FOR THE STATE OF IDAHO

/s/ Robert E. Smylie

FOR THE STATE OF MONTANA

/s/ John L. Hoffmann  
JOHN L. HOFFMANN, DEPUTY REGISTRAR

STATE OF MONTANA  
OFFICE OF THE REGISTRAR OF MOTOR VEHICLES  
DEER LODGE, MONTANA

RECIPROCAL AGREEMENT BETWEEN  
THE STATE OF ILLINOIS AND THE STATE OF MONTANA

DATE OF AGREEMENT: July 28, 1954

EFFECTIVE DATE: July 28, 1954

Pursuant to and in conformity with the laws of their respective states, the State of Illinois and the State of Montana, acting by and through their lawfully authorized officials to execute this agreement, do mutually agree as follows:

1. APPLICABILITY

That this agreement shall apply only to motor vehicles properly registered and licensed in their state of domicile, in compliance with state laws, operating on an interstate basis only. It is further provided that no non-resident of Illinois or Montana shall avail himself of the benefits of this reciprocal agreement by the licensing of his vehicles in either state without becoming a bona fide resident of either state.

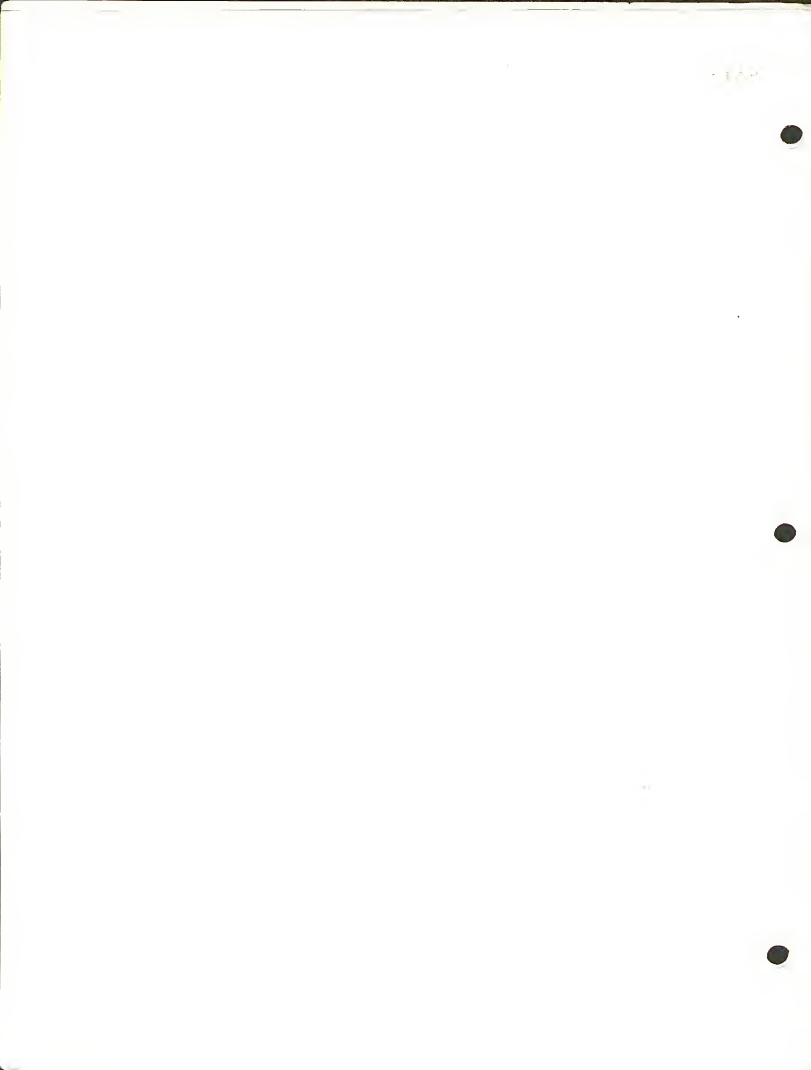
2. DEFINITIONS

a. Interstate operation is commerce between states or transportation which originates in one state and passes into or through other states for delivery in another state.

b. Intrastate operation is commerce within a state or transportation which originates within a state for delivery in the same state.

c. Resident shall mean every person, firm, partnership, association, or corporation who engages in intrastate business within this state and operates in any such business any motor vehicle, trailer or semi-trailer in this state, or who is gainfully employed in this state and is domiciled or has an established business headquarters in this state.

d. Non-resident shall mean every person, firm, partnership, association or corporation organized in any other state or territory, who does not engage in intrastate business within this state; who has not sojourned or become engaged in any gainful occupation; or does not operate any motor vehicle, trailer, or semi-trailer on an intrastate basis.



STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE  
ALBANY 1, N. Y.

January 18, 1955

A. J. GOODRICH  
Commissioner of Taxation  
and Finance

Mortimer M. Kassell

Deputy Commissioner  
and Counsel

Address your reply to

BUREAU OF LAW

Mr. John Hoffmann,  
Deputy Registrar  
Bureau of Motor Vehicles  
Deer Lodge, Montana

Dear Sir:

I regret that I have failed to reply to your letter of July 13, 1954, with respect to the possible consummation of a reciprocity agreement. As I indicated in my previous letter, reciprocity in the State of New York is automatic by operation of law and there is no one who is authorized to execute any formal agreements. I can confirm reciprocity by letter, if this is satisfactory to you.

It is my understanding that reciprocity now exists to the extent indicated by the annexed statement, returned to you herewith, except that paragraph c should indicate that in so far as New York is concerned, New York cannot recognize registration or driving license of a vehicle (except a trailer drawn by a motor vehicle duly registered under the laws of and owned by a resident of this state) which is operated on any public highway of New York to transport persons or property for hire or profit from one point in New York to another point in this state or which is operated in doing any work performed under a contract for a public improvement to which the state, a municipal corporation, a school district or a commission appointed pursuant to law is a party, except to transport machinery, tools or other plant equipment to be used in the performance of such a contract.

You may, if you so desire, consider this letter as affirmation of reciprocity to the extent indicated by the proposed agreement, except to the extent indicated above.

Very truly yours,

/s/ Mortimer M. Kassell  
Counsel to the Commissioner  
of Motor Vehicles

AW:c

RECIPROCITY AGREEMENT BETWEEN THE STATES OF NEW YORK AND MONTANA

Under the provisions of Section 51 of the Vehicle and Traffic Laws of the State of New York and of Section 53-129 RCM as amended, 1953, the following is mutually agreed, subject to cancellation upon sixty days written notice by the Official of either State to the other, and to be effective as of the date of signing:

a. PASSENGER VEHICLES, not for hire, or whose operator or registered owner is not gainfully employed in other than the State of license and registration, full reciprocity, including drivers license, registration and license fees.

b. OTHER VEHICLES, engaged in interstate traffic only, reciprocity including driving license, registration and license fees only, excluding Truck Mileage or Gross Vehicle Weight Tax, or other taxes according to the laws of either State.

c. Vehicles engaged in intrastate traffic will be subject to the provisions of the laws of either state.

IN WITNESS WHEREOF, the duly authorized officials of the States a party hereto and hereinabove named, do hereunto set their respective hands and seals on this the \_\_\_\_\_ day of \_\_\_\_\_, 1954.

FOR THE STATE OF MONTANA

F. O. BURRELL

Registrar of Motor Vehicles

By J. L. Hoffmann

(ANNEXED STATEMENT)

Deputy Registrar

FOR THE STATE OF NEW YORK

By \_\_\_\_\_

REGISTRAR OF MOTOR VEHICLES - DEER LODGE, MONTANA - January 21, 1955

Mr. Mortimer M. Kassell, Counsel to the Commissioner of Motor Vehicles  
Department of Taxation and Finance - Albany 1, New York

Dear Mr. Kassell: Thank you for your letter of 18 January.

Montana's law requires written reciprocal agreements. Under the circumstances, I believe that we can accept your letter and the annexed statement to be sufficient to allow the affirmance of reciprocity between the States of Montana and New York to the extent indicated, and this letter will confirm the understanding.

Very truly,

/s/ John L. Hoffmann

JOHN L. HOFFMANN

Deputy Registrar

JLH:mem



# STATE OF MONTANA HIGHWAY COMMISSION

HELENA

April 1, 1954

TO: ALL COUNTY TREASURERS, SHERIFFS, HIGHWAY PATROLMEN  
AND MAINTENANCE ENGINEERS

In regard to the Montana-North Dakota reciprocal agreement, we advise that the following extracts and procedures be adhered to in the future, until further notice:

1. That full reciprocity on license, registration and weight fees shall be granted to all vehicles, when properly registered in either state, and when engaged in interstate commerce.

2. Any interstate fleet operator, of two (2) or more vehicles, desiring to prorate his fleet under reciprocal privileges, shall be referred to the Registrar of Motor Vehicles to obtain application for proration privileges.

3. That any vehicle licensed and registered in either state, engaged in intrastate commerce, or the owner of which is gainfully employed in the other state, shall not be granted reciprocity unless the vehicle is included in a prorated fleet.

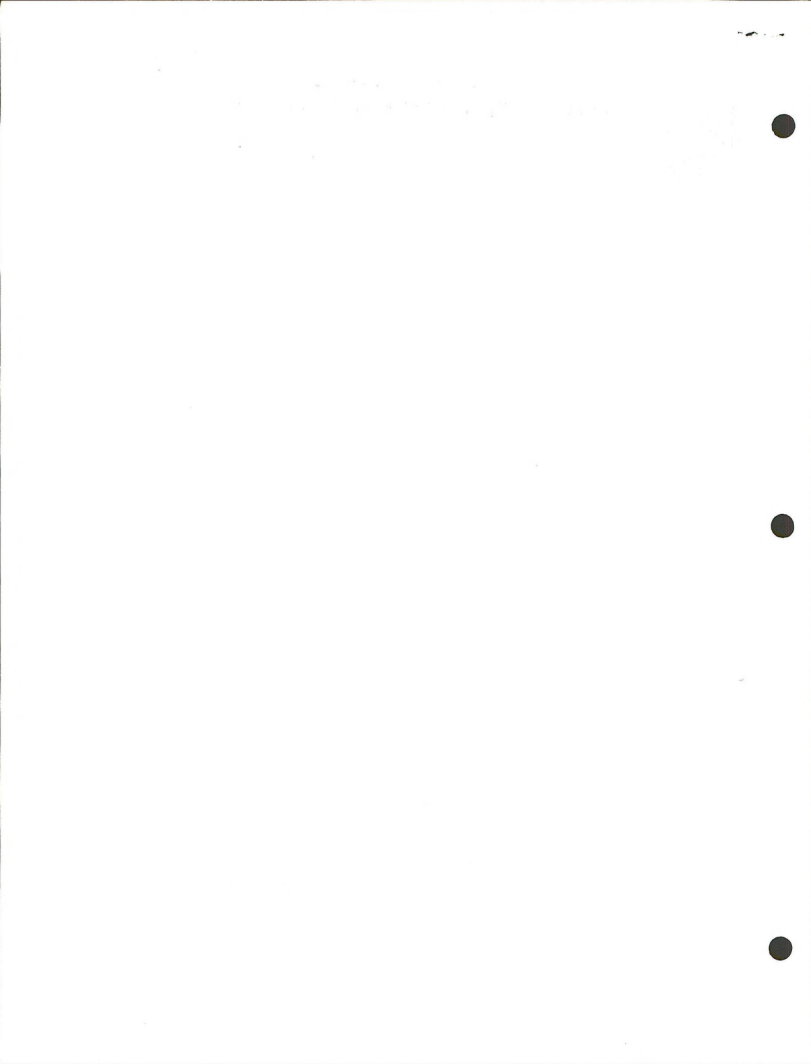
4. That proration of motor vehicle fees shall be allowed to fleets of two (2) or more vehicles, when such fleets comply with the law, and display proper identification in compliance with the regulations of the Registrar's Office.

5. That unlimited reciprocity on passenger cars and house trailers shall be granted unless the person establishes residence in either state in excess of thirty (30) days.

6. That reciprocity shall not be granted on drive-away or tow-away operations in either state.

7. That dealer's license plates will be recognized only when a dealer moves new cars for his own business, or resale directly in connection with his own business.

8. That the responsibility of leased vehicles shall be assumed by the lessee, and that the domicile of the lessee only shall be recognized as far as this agreement is concerned in regard to reciprocal privi-



County Treasurers  
County Sheriffs  
Highway Patrolmen  
Maintenance Engineers

- 2 -

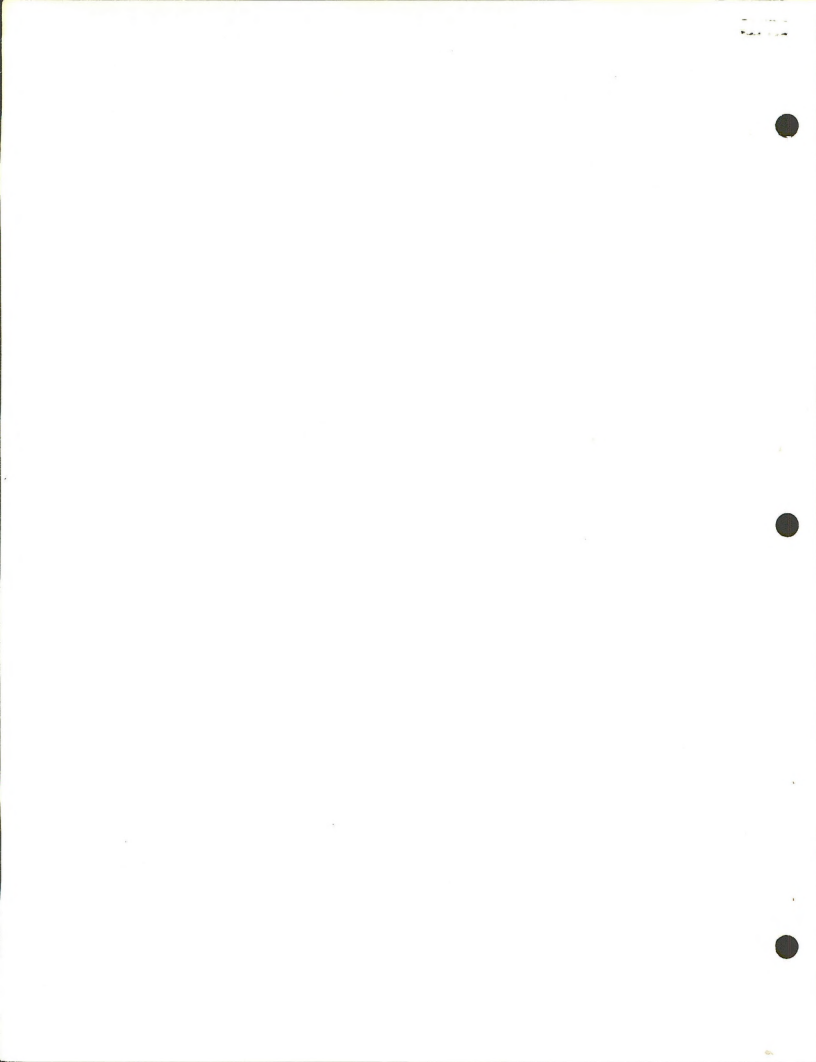
April 1, 1954

leges; provided further, that domicile and residence shall be construed to be synonymous terms.

9. That no vehicle shall haul in excess of the declared gross weight licensed in either state except under the provisions of Supplement No. 5, issued March 31, 1954.

HCH:e  
MJR

  
Henry C. Holland  
Planning Survey Engineer



OREGON - MONTANA  
RECIPROCAL AGREEMENT

Pursuant to and in conformity with the laws of their respective states, the State of Oregon and the State of Montana, acting by and through their lawfully authorized officials to execute this agreement, do mutually agree as follows:

1. APPLICABILITY

a. That this agreement shall apply only to motor vehicles properly registered and licensed in their state of domicile, in compliance with state laws, operating on an interstate basis only. It is further provided that no non-resident of Oregon or Montana shall avail himself of the benefits of this reciprocal agreement by the licensing of his vehicle in either state without becoming a bona fide resident of either state.

b. That this agreement shall not affect any reciprocal agreement which the State of Oregon or the State of Montana may make or enter into with any other state; and does not extend reciprocity to vehicles originally licensed in any other state or province and subsequently licensed in either Oregon or Montana, except by bona fide residents within either state.

c. NON-RECIPROCAL FEES. That this agreement does not waive any fees collected by the Oregon Public Utilities Commissioner or the Montana Railroad and Public Service Commission.

d. MAXIMUM WEIGHT. That this agreement shall not be construed to authorize the operation of motor vehicles in either state in excess of the maximum weight for which the vehicle is licensed in the state of domicile.

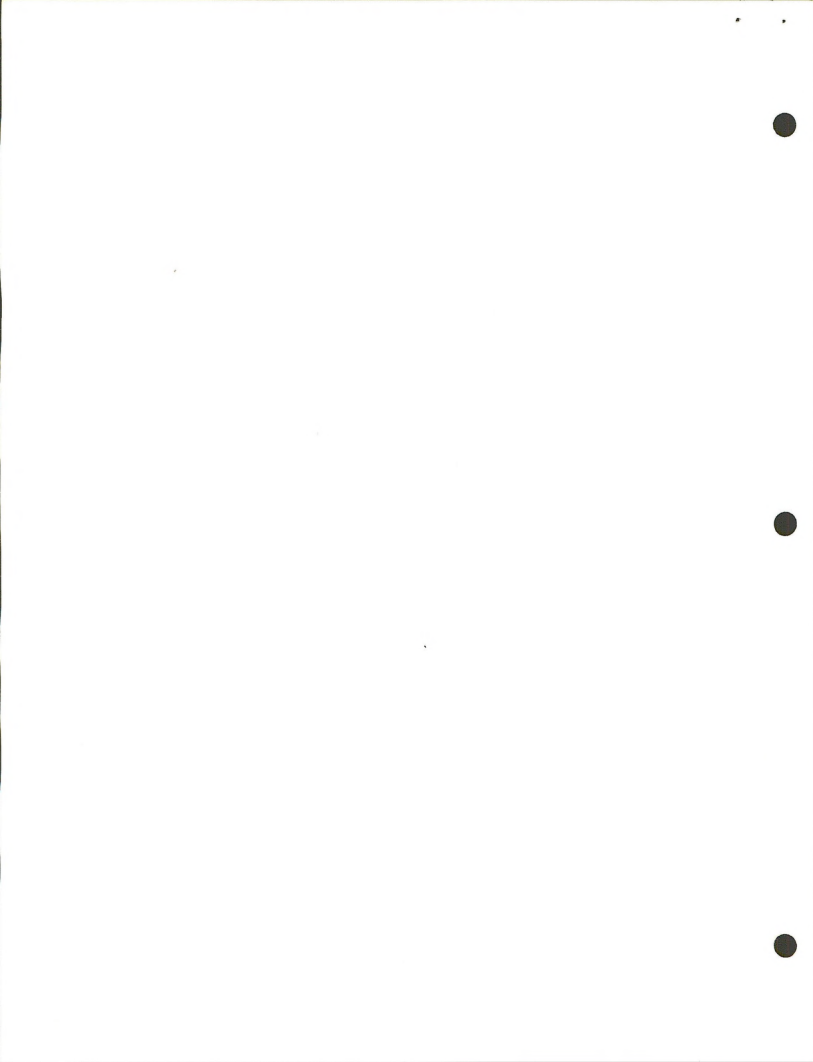
e. STATUTORY PROVISIONS. That no vehicle or combination of vehicles shall operate in excess of the statutory provisions covering axle loadings, weight, length, height, or width without first obtaining a special permit concerning such operation.

f. VIOLATIONS. That any violations of the provisions of this agreement may result in the immediate cancellation of the privileges provided herein with reference to the owner or operator of the vehicle or vehicles.

g. INTERPRETATION. That the final decision regarding interpretation of questions at issue relating to this agreement shall be reached by joint action of the contracting parties.

2. DEFINITIONS.

a. INTERSTATE OPERATION is commerce between states or transportation which originates in one state and passes into or through other states for delivery in another state.



b. INTRASTATE OPERATION is commerce within a state or transportation which originates within a state for delivery in the same state.

c. RESIDENT shall mean every person, firm, partnership, association, or corporation who engages in intrastate business within the state and operates in any such business any motor vehicle, trailer, or semi-trailer in this state, or who is gainfully employed in this state and is domiciled or has an established business headquarters in this state.

d. NON-RESIDENT shall mean every person, firm, partnership, association or corporation organized in another state, province, or territory, whose headquarters or domicile is established in another state, province, or territory and is not engaged in gainful occupation or intrastate commerce in this state.

e. REGISTRATION, LICENSING, OR REGISTRATION LICENSING are deemed to be synonymous for purposes of this agreement; and are understood to mean the annual registration plate fee in Oregon and the registration and gross vehicle weight tax in Montana.

3. THAT PRIVATE PASSENGER VEHICLES shall be granted full registration licensing reciprocity for sixty (60) days, when operated singly or towing non-commercial trailers or semi-trailers, unless the owner of the vehicle becomes engaged in gainful occupation, or the vehicle is used for compensation or profit.

a. THAT NON-RESIDENT SALESMEN, carrying samples and soliciting business, but not using the motor vehicle for deliveries, shall not be required to license their passenger cars in other than their home state.

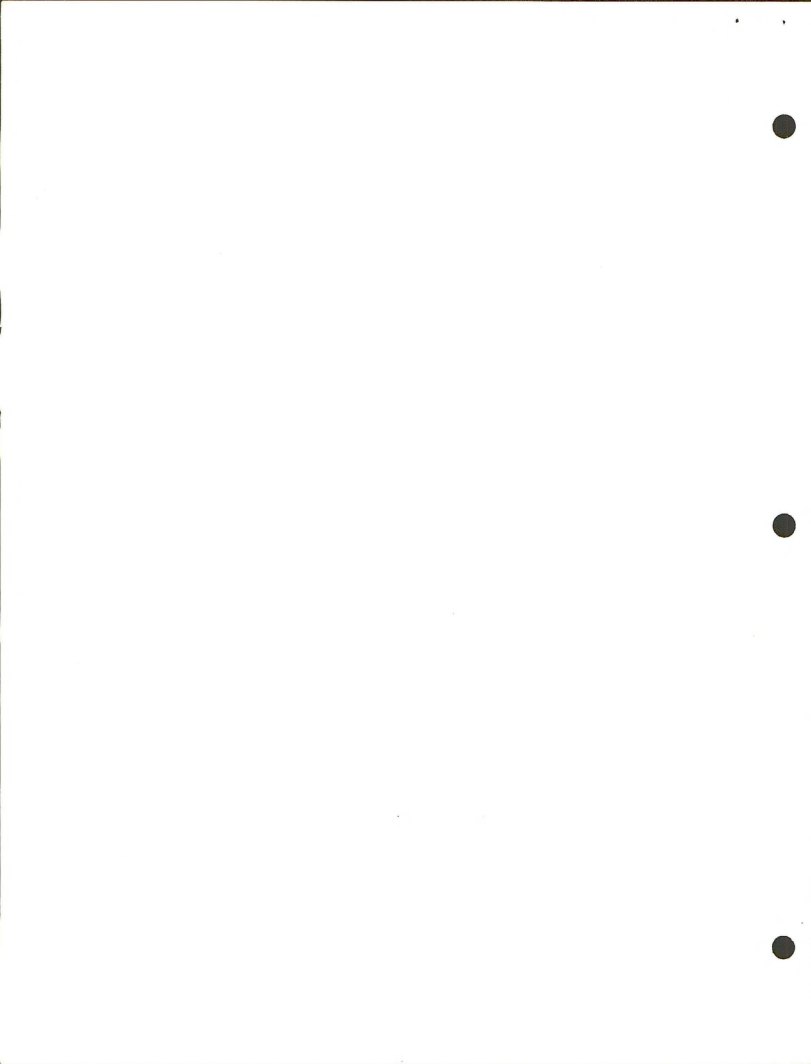
4. THAT ALL TRUCKS, TRACTORS, TRAILERS AND SEMI-TRAILERS OR COMBINATION OF VEHICLES, having a declared gross weight of 6,000 pounds or over, shall be granted full registration licensing reciprocity in either state, EXCEPTING THOSE BELONGING TO OREGON AND MONTANA OPERATORS of interstate fleets of two (2) or more vehicles, which are required to prorate their interstate motor vehicle licenses according to Supplement One (attached).

a. THAT ALL TRUCKS, TRACTORS, TRAILERS AND SEMI-TRAILERS OR COMBINATION OF VEHICLES, having a declared gross weight of under 6,000 pounds, shall be granted full reciprocity in either state.

5. THAT ALL COMMERCIAL BUSES shall be granted full registration license fee reciprocity, including CHARTERED BUSES.

a. THAT ALL CHARTERED BUSES owned by schools, colleges, religious, or charitable organizations, shall be granted full reciprocity if they are properly licensed in either state.

6. THAT HOUSE TRAILERS towed by passenger cars or trucks operating into or through either state and used for recreational purposes for a maximum of sixty (60) days, shall be granted full reciprocity.



7. THAT RECIPROCITY SHALL NOT BE GRANTED ON THE CARAVAN OF NEW OR USED VEHICLES, or on the use of intransit plates or trip permit from either state.

8. THAT RECIPROCITY PRIVILEGES ON LEASED VEHICLES will not be extended to residents of other states through this agreement.

9. THAT REGISTRATION CARDS SHALL BE CARRIED IN THE VEHICLE AT ALL TIMES, and be shown to authorities upon request. Photostated copies, which have been notarized, of the original registration card will be recognized in either state.

10. THAT RECIPROCITY SHALL BE GRANTED IN THE LAWFUL USE OF DEALER PLATES when such dealer is a bona fide resident of either state and when such plates are attached to a vehicle owned by such dealer and used only in the direct connection of the business of a dealer in motor vehicles, including tow-away combinations thereof of new vehicles owned by the dealer for resale, but not including a factory franchised distributor.

11. THAT THIS AGREEMENT SHALL NOT APPLY TO MOTOR FUEL TAX LAWS IN EITHER STATE, and shall not apply to any vehicle carrying a supply of motor fuel of any kind other than that contained in one standard factory fuel tank connected with the engine of such motor vehicle in which the fuel is to be consumed. Additional fuel carried for operation of the vehicle shall be subject to the fuel tax in either state.

12. PROVIDED FURTHER, that it shall be agreed and understood by each of the contracting parties that they retain the right to require all commercial vehicles 6,000 pounds or over declared gross weight entering either state to have displayed on each vehicle a permit, sticker or suitable means of identification.

13. That each of the contracting parties of either state shall cooperate with the other and hereby agree to furnish such aid and assistance to each other within their statutory authorities as will aid the proper enforcement of this agreement.

14. This agreement shall become effective the 1st day of November, 1954, and shall continue in full force thereafter until modified or cancelled by either party upon thirty (30) days written notice.

IN WITNESS WHEREOF the State of Oregon and the State of Montana, each acting by and through its duly authorized officials, have executed this agreement on the dates set forth.

STATE OF OREGON

STATE OF MONTANA

/s/ Earl T. Newbry

F. O. BURRELL

Secretary of State

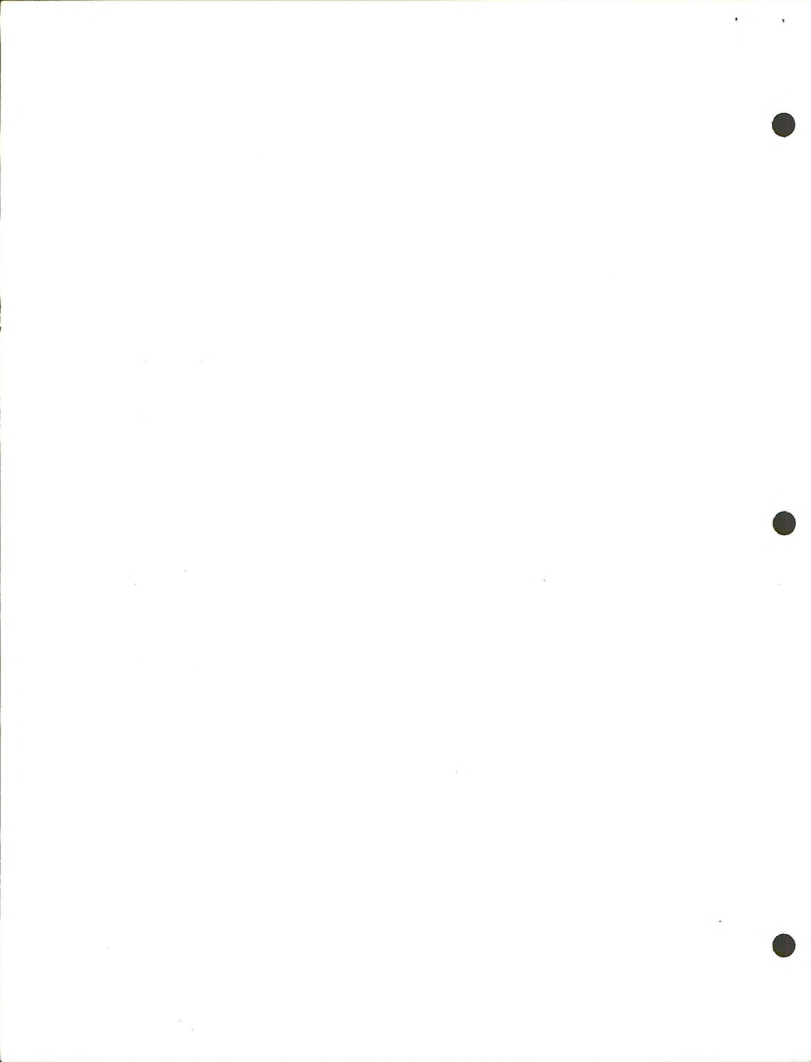
REGISTRAR OF MOTOR VEHICLES

Date October 8, 1954

/s/ John L. Hoffmann

JOHN L. HOFFMANN  
DEPUTY REGISTRAR

Date October 12, 1954



MONTANA  
Registrar of Motor Vehicles  
Deer Lodge, Montana

INTERSTATE MOTOR VEHICLE LICENSE  
PRORATION AGREEMENT APPLICATION INSTRUCTIONS

We are attaching Interstate Motor Vehicle License Proration Agreement Application forms which are comprised of the original application and four supplements.

Supplement "A" -- List the total truck and trailer miles traveled in each state through which your vehicles are operated, based upon the most recent twelve month period. The total truck and trailer miles will then be shown and the percentage computed and indicated on the form in the space provided.

Supplement "B" -- A list of all the over-the-road equipment included in your entire fleet, operating under the proration agreements.

Supplement "C" -- A schedule of registration fees of each state and the total cost of licensing the entire over-the-road fleet in each state on an annual basis. When fees are determined for each state, use the percentage as computed in Supplement "A" to determine the dollar proration in the space provided in Supplement "C". You will then be required to license the number of vehicles in each state to equal the total dollar proration computed in Supplement "C".

Supplement "D" -- A list of the vehicles to be licensed in each state.

Refer to copy of the law on the following sheets for proper method of making application.

A completed, notarized copy of all pages of the interstate license proration agreement application must be furnished to each state involved. Special care should be taken to see that each state receives a complete set of Supplement "D" so that each state will know what vehicles and the amount of fees which have been allocated to the other states.

Additional forms are available upon request, or may be reproduced in your own office.

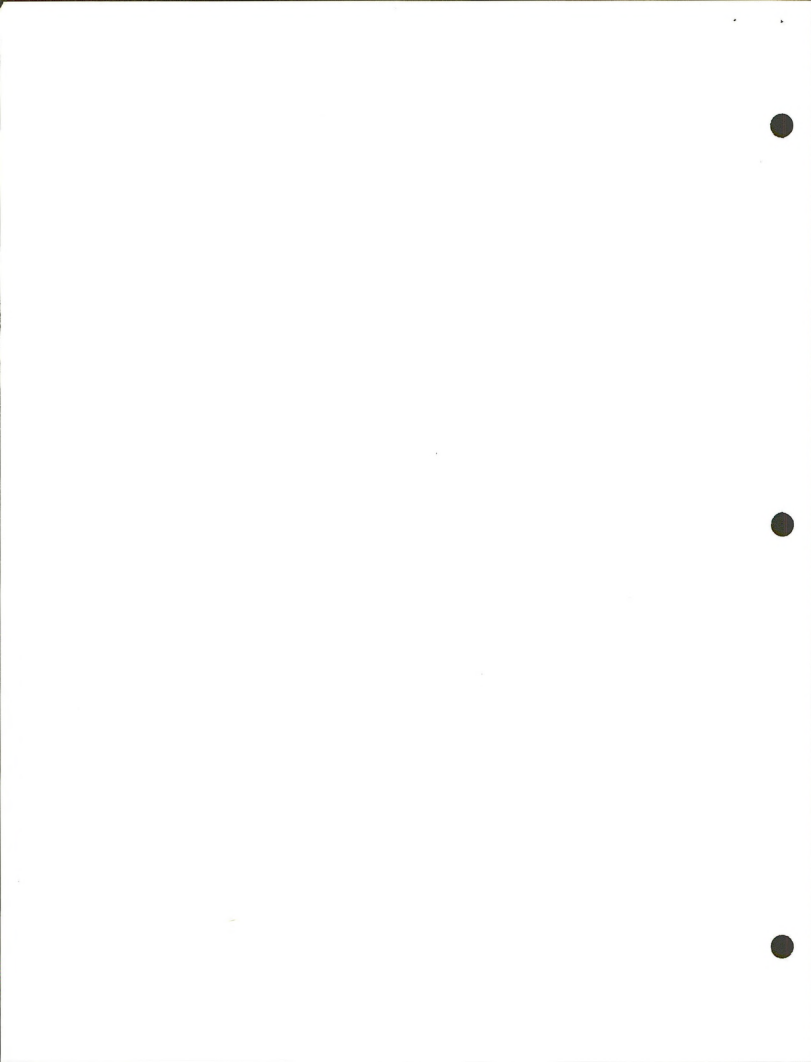


REVISED CODES OF MONTANA, 1953

PROPORTIONAL REGISTRATION OF FLEETS OF VEHICLES ENGAGED IN INTER-STATE COMMERCE 53-114 (1759)...

(9) (a) Any owner engaged in operating fleets of two or more vehicles in this state in interstate commerce may, in lieu of registration of such vehicles under the general provisions of this act, register and license such fleet for operation in this state by filing a sworn application with the registrar of motor vehicles, and filing a duplicate copy of said statement with the county treasurer or county treasurers of the proper counties of registration, declaring the total mileage operated by such vehicles in all states and in this state during the preceding calendar year and describing and identifying each such vehicle to be operated in this state during the ensuing license year. Such statement shall also designate a sufficient number of certain vehicles to be registered and licensed under this section to produce total fee payments not less than an amount obtained by applying the proportion of in-state fleet miles to total fleet miles, as reported in said statement, to the fees which would otherwise be required for total fleet registration in this state. The registrar of motor vehicles shall thereupon notify the proper county treasurer or county treasurers of the designated vehicles to be licensed, who, on payment of proper fees, will issue the licenses, and the registrar of motor vehicles shall upon payment of a fee of one dollar for each said vehicle, issue a distinctive sticker for each other vehicle named in said statement identifying it as an interstate fleet which shall be exempt from all further license and weight fee requirements of this state, which may be specified in Title 53 of this code, as amended, provided, that each of such vehicles is properly and duly licensed and registered in some other state, district, possession or territory of the United States or some foreign province, state or country. The proportional registration and licensing provisions of this section shall apply to vehicles added to said fleet and operated in this state during the license year. Montana operators electing to register an interstate fleet shall comply with all requirements of this section relating to the payment of property taxes on his entire fleet. The right of out-of-state operators to proportional registration hereunder shall be subject to the terms and conditions of any reciprocity agreement or declaration made and filed by the registrar of motor vehicles under provisions of section 53-129, as herein amended.

(b) Mileage proportions for interstate fleets not operated in this state during the preceding year will be determined by the registrar of motor vehicles upon the sworn application of the applicant on forms to be supplied by the registrar of motor vehicles, which will show the operations of the preceding year in other states and the estimated operation in Montana or if no operations were conducted the previous year a full statement of the proposed method of operation.



(c) Any owner complying with and being granted proportional registration shall preserve the records on which the application is made for a period of four full years following the year upon which said application is based. Upon request of the registrar of motor vehicles, the owner agrees to make such records available to the registrar of motor vehicles at his office for audit as to accuracy of computation and payments, or to pay the costs of an audit by the registrar of motor vehicles or his duly appointed representative at the home office of the owner. If by audit, it is determined that the owner should have registered more vehicles in Montana under provisions of this paragraph, the registrar of motor vehicles may deny such owner the right of any further benefits by reason of any reciprocal agreement or declaration until the fees of such additional vehicle or vehicles, which should have been registered are paid to the registrar of motor vehicles. All license fees which should have been paid under the provisions of this paragraph shall be a lien upon all the property of the owner and such lien shall attach at the time the license fees shall be determined by the registrar of motor vehicles and shall have the effect of an execution duly levied on such property of the owner and shall so remain until said additional fees, so determined are paid or the property sold for the payment thereof.



MONTANA  
Registrar of Motor Vehicles  
Deer Lodge, Montana

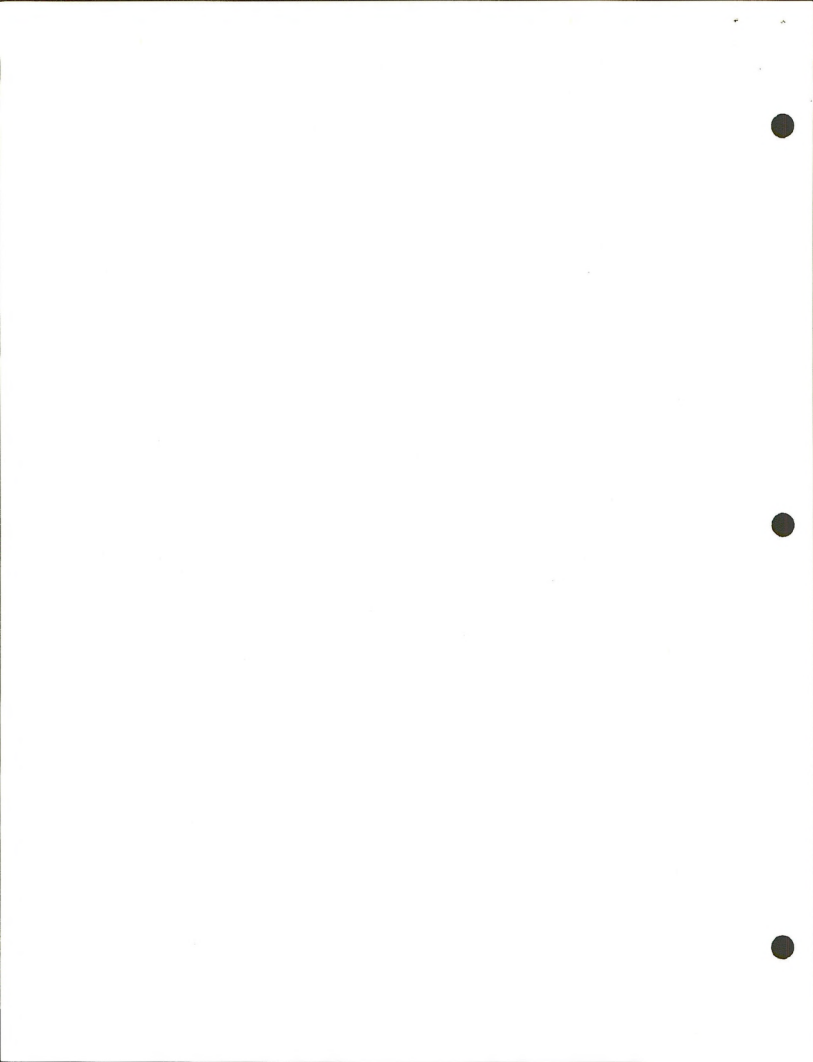
INTERSTATE MOTOR VEHICLE LICENSE PRORATION APPLICATION

1. DATE OF APPLICATION \_\_\_\_\_ FOR LICENSE YEAR 19 \_\_\_\_\_
2. NAME OF APPLICANTS \_\_\_\_\_
3. HOME ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
Street  
\_\_\_\_\_  
City County State
4. TYPE OF OPERATION \_\_\_\_\_  
(Common Carrier, contract, household mover, etc)
5. STATES IN WHICH APPLICANT OPERATES VEHICLES AND PERCENTAGE OF FLEET MILES OPERATED IN EACH STATE. Prepare as per instructions set forth in Supplement "A".
6. LIST OF EQUIPMENT. Prepare as per instructions set forth in Supplement "B".
7. COMPUTATION OF TAX. From list of equipment in Supplement "B" prepare as Supplement "C" a tax schedule licensing each piece of equipment at the appropriate weight fees for each State. Total the amount of tax for each State and apply against this total the appropriate mileage percentage factor as developed in Supplement "A".
8. ASSIGNMENT OF VEHICLES. In Supplement "D" list the equipment to be prorated each State.
9. SWORN STATEMENT. The undersigned under oath swears that the information furnished in this application and the attached supplements is true and correct.
- By \_\_\_\_\_  
Title \_\_\_\_\_

Notary's Seal  
and Signature \_\_\_\_\_  
\_\_\_\_\_

NOTE: Exact duplicates of this application and all supplements are to be furnished by applicant to each State. A separate notarization must also accompany application to each State.

Application Number \_\_\_\_\_



Name of Applicant \_\_\_\_\_

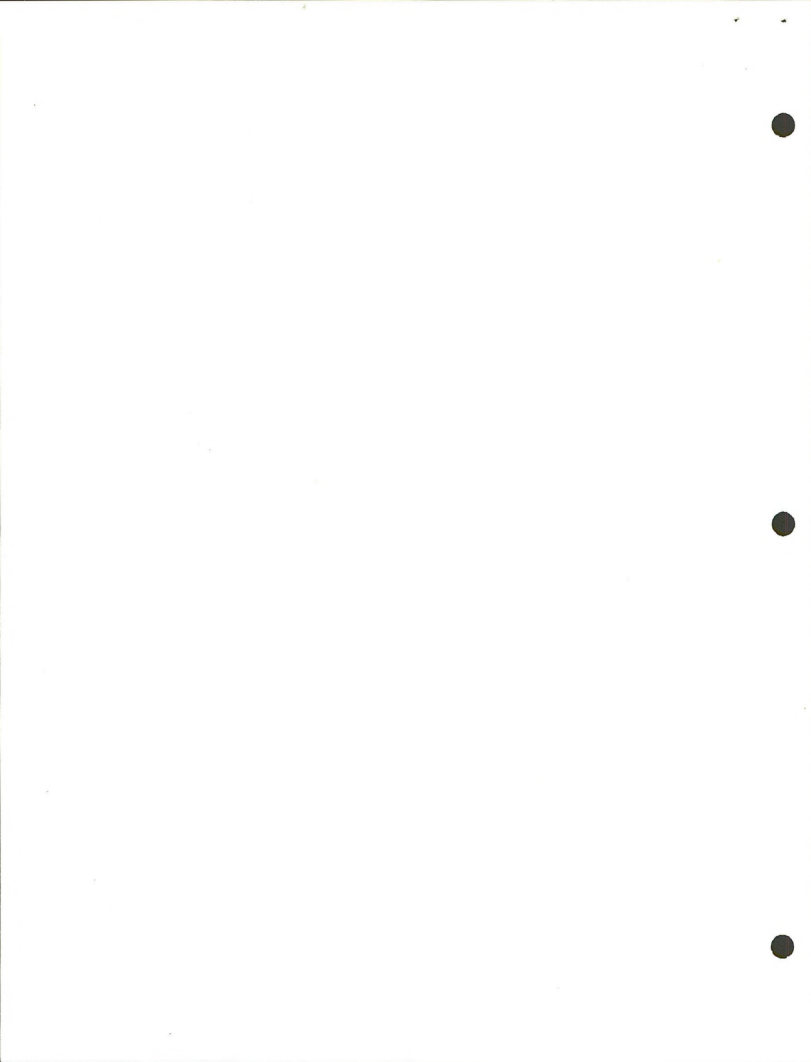
INTERSTATE MOTOR VEHICLE LICENSE PRORATION APPLICATION

Supplement A

STATES IN WHICH APPLICANT OPERATES AND PERCENTAGE OF FLEET MILES OPERATED IN EACH. To determine proper percentages, use actual miles of vehicles operated in over-the-road service for the most recent 12-months period December 1 to December 1. Do not include pick-up mileage unless same is accumulated in over-the-road service. List truck and trailer mileages, and percentages of same applicable to individual states, separately.

	<u>State</u>	<u>Total Truck Miles</u>	<u>Total Trailer Miles</u>	<u>Total Mileage</u>	<u>% of Total</u>
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____
7.	_____	_____	_____	_____	_____
8.	_____	_____	_____	_____	_____
9.	_____	_____	_____	_____	_____
10.	_____	_____	_____	_____	_____
11.	_____	_____	_____	_____	_____

Application Number \_\_\_\_\_



Name of Applicant \_\_\_\_\_

INTERSTATE MOTOR VEHICLE LICENSE PRORATION APPLICATION

Supplement "B"

LIST OF EQUIPMENT. List below only equipment regularly assigned to over-the-road operations. Do not list pickup units unless same are actually used in over-the-road service. As some states license on an unladen weight basis and others on a declared gross weight basis, fill out both columns. Use additional sheets as necessary.

Trucks or Tractors

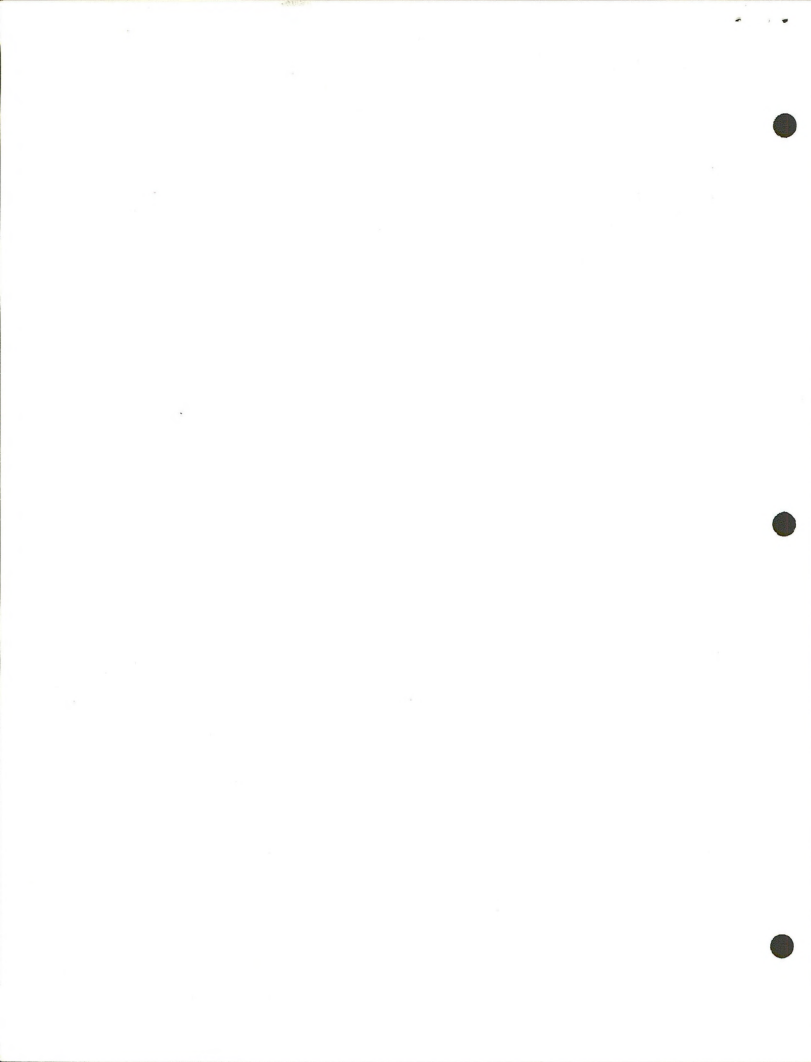
Owner's Equipment Number	Vehicle Serial Number	Make	No. of Axles	Unladen Weight	Maximum Gross Weight*	Type of Power
--------------------------------	-----------------------------	------	-----------------	-------------------	-----------------------------	------------------

Trailers

Owner's Equipment Number	Vehicle Serial Number	Make	No. of Axles	Unladen Weight	Maximum Gross Weight*	Type of Power
--------------------------------	-----------------------------	------	-----------------	-------------------	-----------------------------	------------------

\*(In this column insert the word "Maximum" unless vehicle is being licensed for less than allowable maximum gross weight, in which case insert actual maximum.)

Application Number \_\_\_\_\_



Name of Applicant \_\_\_\_\_

INTERSTATE MOTOR VEHICLE LICENSE PRORATION APPLICATION

Supplement "C"

COMPUTATION OF TAX. Prepare separate tax schedule for each piece of equipment listed in Supplement "B" for each state at the state's annual registration rate. To avoid duplication of registration data, list only owner's identifying number of equipment as set forth in column one of Supplement "B". Total the amount of tax developed for each state, and multiply this total by the appropriate percentage figure from Supplement "A" to obtain the dollar amount of tax to be prorated to each State. Use additional sheets as necessary.

Owner's Equipment Number	State of _____	State of _____	State of _____	State of _____	State of _____
1	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
2	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

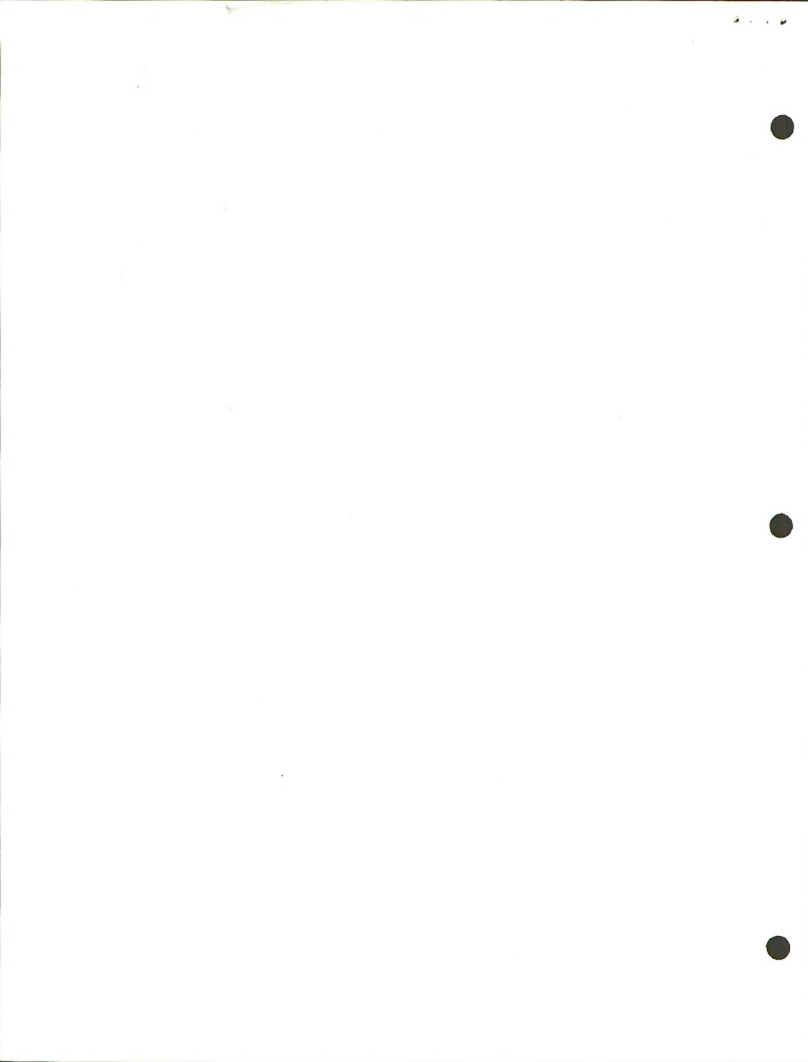
etc.

TOTAL	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
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Mileage Percentage (From Supplement "A") %	_____	% _____	% _____	% _____	% _____
--	-------	---------	---------	---------	---------

Dollar Proration \$	_____	\$ _____	\$ _____	\$ _____	\$ _____
---------------------	-------	----------	----------	----------	----------

Application Number \_\_\_\_\_



Name of Applicant \_\_\_\_\_

INTERSTATE MOTOR VEHICLE LICENSE PRORATION APPLICATION

Supplement "D"

ASSIGNMENT OF VEHICLES. List below by individual state the equipment to be licensed in each state. Use additional sheets as necessary. Select equipment which will most closely equal dollar proration as developed in last line of Supplement "C". 1 Fill out separate Supplement "D" for each state.

State of \_\_\_\_\_

Owner's  
Equipment  
Number

Annual  
Tax  
Rate

Actual Total Taxes \$ \_\_\_\_\_

Prorated Total Taxes  
(from Supplement "C") \$ \_\_\_\_\_

Application Number \_\_\_\_\_

11

STATE OF MONTANA  
OFFICE OF THE REGISTRAR OF MOTOR VEHICLES  
DEER LODGE, MONTANA

RECIPROCAL AGREEMENT BETWEEN

THE STATE OF WASHINGTON AND THE STATE OF MONTANA

DATE OF AGREEMENT:

EFFECTIVE DATE : 1 January 1955

Pursuant to and in conformity with the laws of their respective states, the State of Washington and the State of Montana, acting by and through their lawfully authorized officials to execute this agreement, do mutually agree as follows:

1. APPLICABILITY.

a. That this agreement shall apply only to motor vehicles properly registered and licensed in their state of domicile, in compliance with State laws, operating on an interstate basis only. It is further provided that no non-resident of Washington or Montana shall avail himself of the benefits of this reciprocal agreement by the licensing of his vehicle in either state without becoming a bona fide resident of either state.

b. That this agreement shall not effect any reciprocal agreement which the State of Washington or Montana may make or enter into with any other state; and does not extend reciprocity to vehicles originally licensed in any other state or province and subsequently licensed in either Washington or Montana except by bona fide residents within either state.

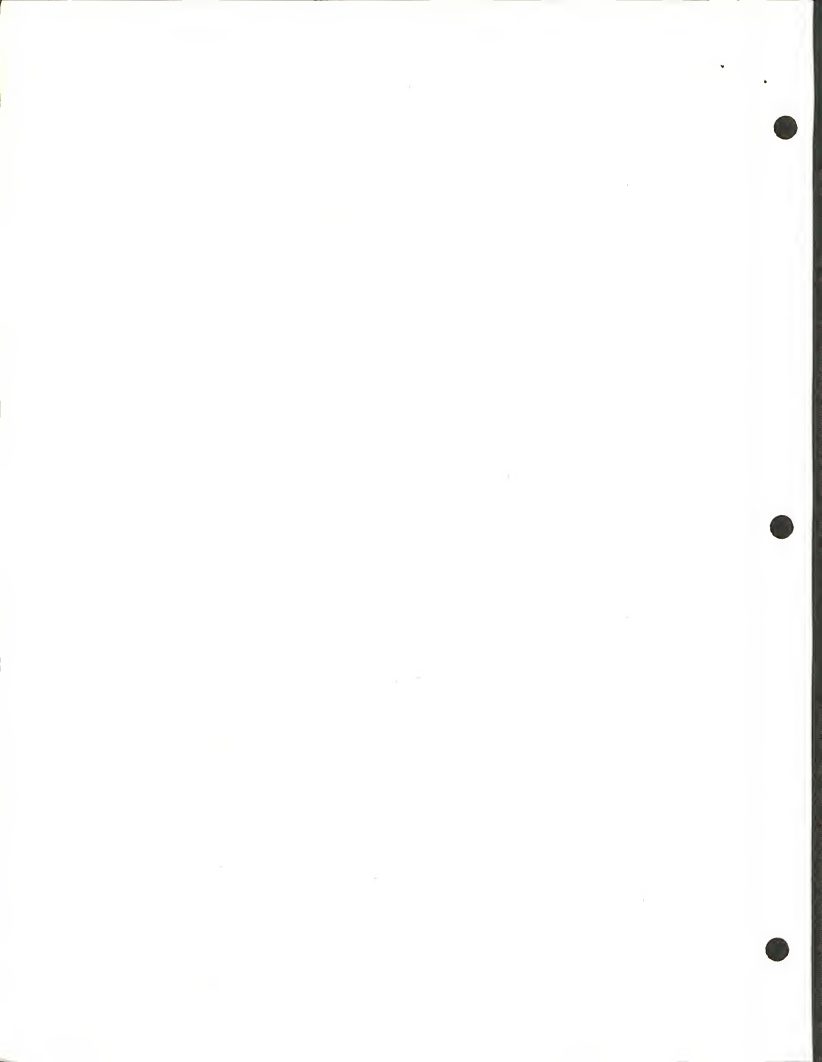
c. PUBLIC UTILITY COMMISSION FEES. That this agreement does not waive any fees charged by the Washington Public Service Commission or the Montana Railroad and Public Service Commission.

d. MAXIMUM WEIGHT. That this agreement shall not be construed to authorize the operation of motor vehicles in either state in excess of the maximum weight for which the vehicle is licensed in the state of domicile.

e. STATUTORY PROVISIONS. That no vehicle or combination of vehicles shall operate in excess of the statutory provisions covering axle loadings, weight, length, height, or width without first obtaining a special permit concerning such operation.

f. VIOLATIONS. That any violations of the provisions of this agreement may result in the immediate cancellation of the privileges provided herein with reference to the owner or operator of the vehicle or vehicles.

g. INTERPRETATION. That the final decision regarding interpretation of questions at issue relating to this agreement shall be reached by joint action of the contracting parties.



## 2. DEFINITIONS.

a. INTERSTATE OPERATION is commerce between states or transportation which originates in one state and passes into or through other states for delivery in another state.

b. INTRASTATE OPERATION is commerce within a state or transportation which originates within a state for delivery in the same state.

c. RESIDENT shall mean every person, firm, partnership, association, or corporation who engages in intrastate business within the state and operates in any such business any motor vehicle, trailer, or semi-trailer in this state, or who is gainfully employed in this state and is domiciled or has an established business headquarters in this state.

d. NON-RESIDENT shall mean every person, firm, partnership, association or corporation organized in another state, province, or territory, whose headquarters or domicile is established in another state, province, or territory and is not engaged in gainful occupation or intrastate commerce in this state.

3. THAT PRIVATE PASSENGER VEHICLES shall be granted reciprocity covering licensing for sixty (60) days, when operated singly or towing non-commercial trailers or semi-trailers unless the owner of the vehicle becomes engaged in gainful occupation, or the vehicle is used for compensation or profit.

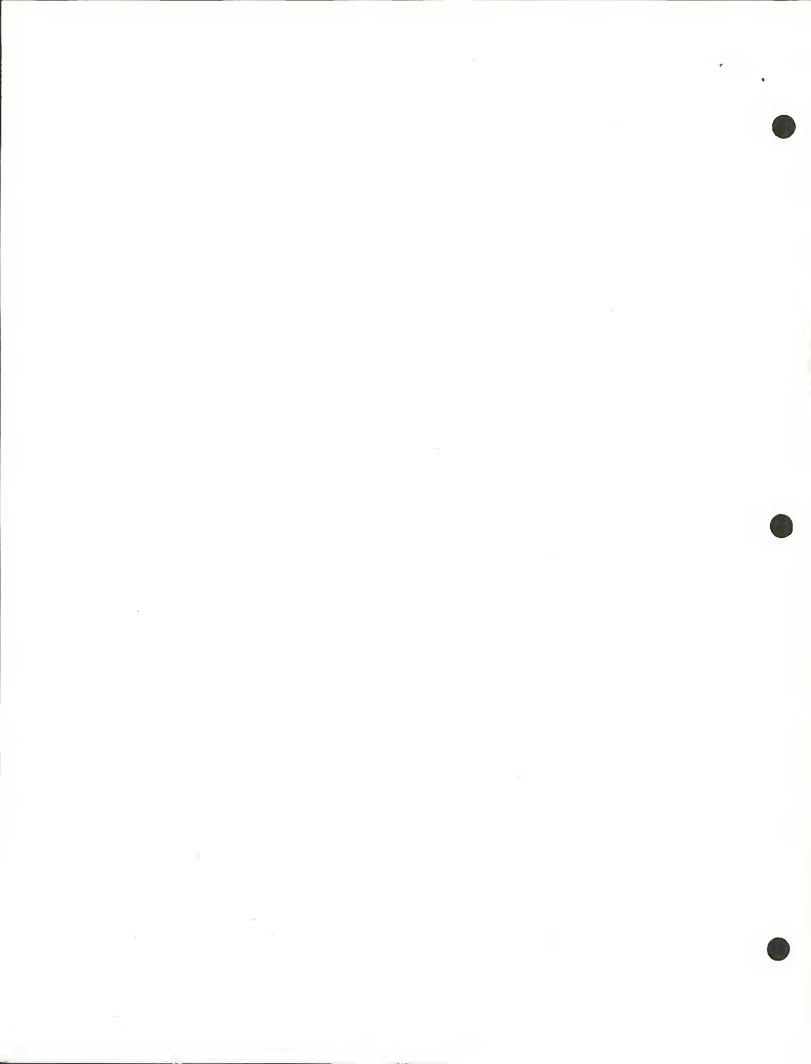
a. THAT NON-RESIDENT SALESMEN carrying samples and soliciting business, but not using the car for deliveries, shall not be required to license their passenger cars.

4. THAT ALL TRUCKS, TRACTORS, TRAILERS, AND SEMI-TRAILERS OR COMBINATION OF VEHICLES 4,000 pounds and over gross vehicle weight shall be granted full reciprocity on license and weight fees in either state, EXCEPTING THOSE BELONGING TO WASHINGTON AND MONTANA OPERATORS of interstate fleets of two (2) or more vehicles, which are required to prorate their interstate motor vehicle licenses according to Supplement One (attached).

a. THAT ALL TRUCKS, TRACTORS, TRAILERS AND SEMI-TRAILERS OR COMBINATION OF VEHICLES under 4,000 pounds gross vehicle weight shall be granted full reciprocity in either state.

5. THAT ALL COMMERCIAL BUSES shall be granted full reciprocity on license and weight fees in either state, including CHARTERED BUSES.

a. THAT ALL CHARTERED BUSES OWNED BY SCHOOLS, COLLEGES, RELIGIOUS OR CHARITABLE ORGANIZATIONS, shall be granted full reciprocity on registration, license and weight fees provided they are properly licensed in either state.



6. THAT HOUSE TRAILERS towed by passenger cars or trucks operating into or through either state and used for recreational purposes for a maximum of sixty (60) days, shall be granted full reciprocity.

7. THAT RECIPROCITY SHALL NOT BE GRANTED ON THE CARAVAN OF NEW OR USED VEHICLES, or the use of intransit plates or trip permit from either state.

8. THAT RECIPROCITY PRIVILEGES ON LEASED VEHICLES will not be extended to residents of other states through this agreement.

9. THAT REGISTRATION CARDS SHALL BE CARRIED IN THE VEHICLE AT ALL TIMES, and be shown to authorities upon request. Photostated copies, which have been notarized, of the original registration card will be recognized in either state.

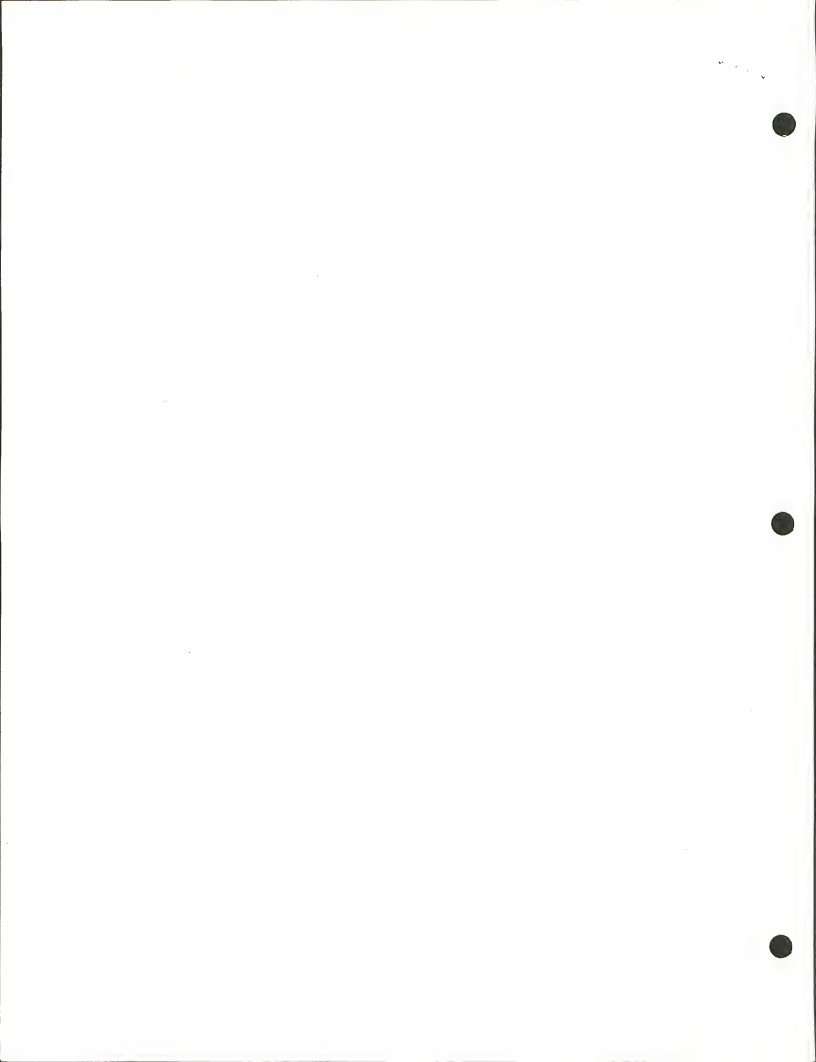
10. THAT RECIPROCITY SHALL BE GRANTED IN THE LAWFUL USE OF DEALER PLATES when such dealer is a bona fide resident of either state and when such plates are attached to a vehicle owned by such dealer and used only in the direct connection with the business of a dealer in motor vehicles, including tow-away combinations thereof of new vehicles owned by the dealer for resale, but not including a factory franchised distributor.

11. THAT THIS AGREEMENT SHALL NOT APPLY TO MOTOR FUEL TAX LAWS IN EITHER STATE, and shall not apply to any vehicle carrying a supply of motor fuel of any kind other than that contained in one standard factory fuel tank connected with the engine of such motor vehicle in which the fuel is to be consumed. Additional fuel carried for operation of the vehicle shall be subject to the fuel tax in either state.

12. PROVIDED FURTHER, that it shall be agreed and understood by each of the contracting parties that they retain the right to require all commercial vehicles 4,000 pounds and over entering either state to have displayed on each vehicle a permit, sticker, or suitable means of identification issued by this state.

13. That each of the contracting parties of either state shall cooperate with the other and hereby agree to furnish such aid and assistance to each other within their statutory authorities as will aid the proper enforcement of this agreement.

14. This agreement shall become effective the 1st day of January 1955, and shall continue in full force thereafter until modified or cancelled by either party upon thirty (30) days written notice.



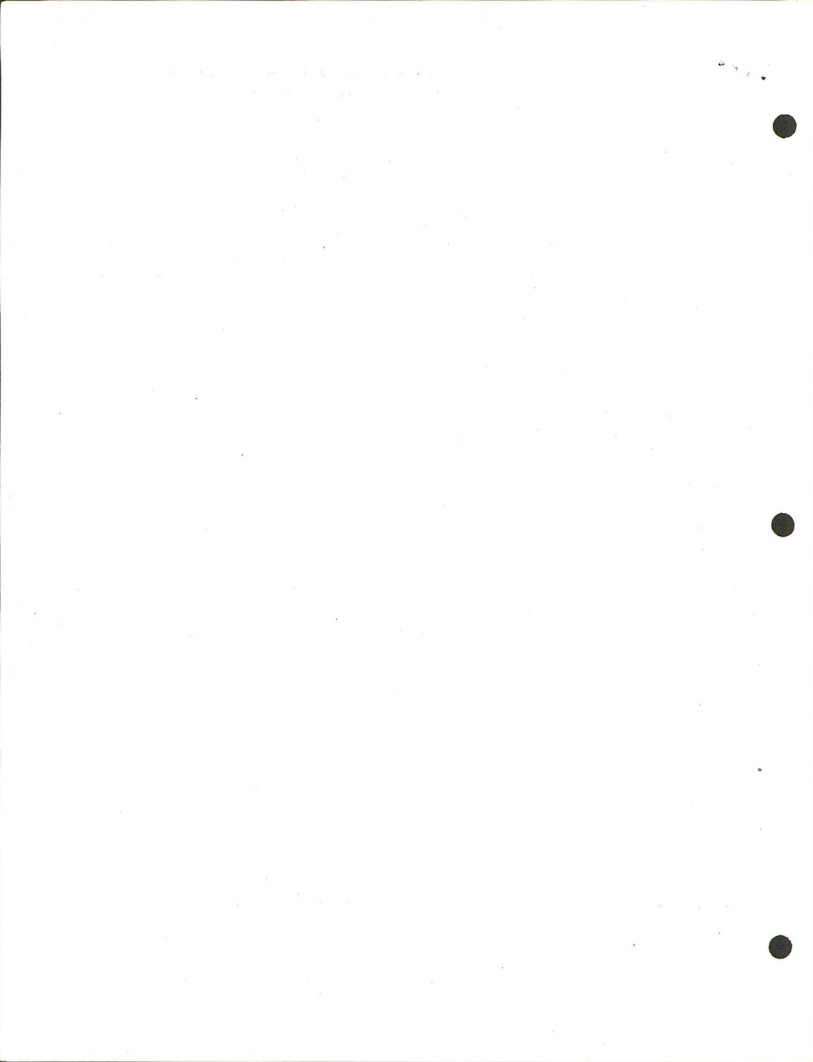
IN WITNESS WHEREOF the State of Washington and the State of Montana,  
each acting by and through its duly authorized officials, have executed  
this agreement on the dates set forth below:

STATE OF WASHINGTON

By /s/ Della Urquhart  
Title Director of License  
By \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

STATE OF MONTANA

By F. O. BURRELL  
Title REGISTRAR OF MOTOR VEHICLES  
By /s/ John L. Hoffmann  
JOHN L. HOFFMANN  
Title DEPUTY REGISTRAR  
Date 5 October 1954



R E C I P R O C I T Y    A R R A N G E M E N T  
B E T W E E N  
THE PROVINCE OF ALBERTA                  and                  THE STATE OF MONTANA

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A RECIPROCITY ARRANGEMENT between the Province of Alberta and the STATE OF MONTANA, whereby each Province and State grants to the other full reciprocity, subject to restrictions as set out herein, as to motor vehicles operated within the Province of Alberta and the State of MONTANA.

IT IS HEREBY AGREED that any legally registered resident, Public Service or Commercial motor Vehicle of either the Province of Alberta or the State of MONTANA, while engaged in through or interstate commerce, but not operating for hire between fixed termini in the Province or State granting reciprocity, shall be permitted to operate into the other Province of State on such interstate operations, on lawful business and on the same basis as permitted by the registration of its Province or State of domicile without the payment of motor vehicle privilege license fees of any kind, including registration fees, license plate fees, compensation fees, ton mileage fees, gross vehicle weight tax fees or itinerant trip permit fees, provided that such operation shall not be in violation of the laws of the Province or State extending such reciprocity.

IT IS AGREED that either party may terminate this arrangement by giving thirty days written notice to the other party. It is agreed that the authorized representatives of the Province and State will formulate regulations governing the issuance of permits and method of identification of the excepted vehicles provided for herein.

THIS ARRANGEMENT shall be in full force and effect on and after the FIFTEENTH day of JANUARY, 1955.

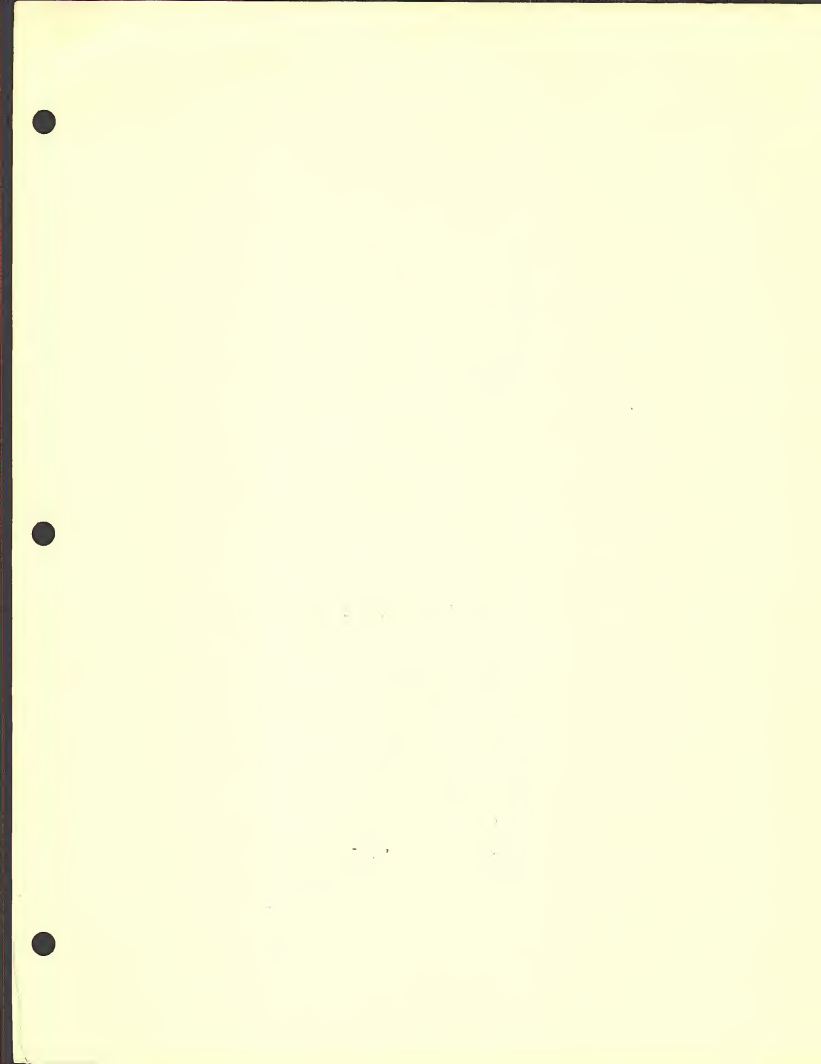
STATE OF MONTANA:  
F. O. BURRELL, REGISTRAR OF MOTOR VEHICLES

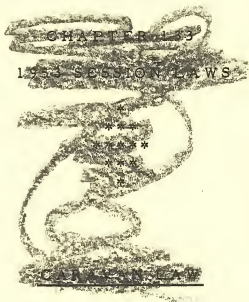
BY: /s/ John L. Hoffmann  
JOHN L. HOFFMANN, DEPUTY REGISTRAR

PROVINCE OF ALBERTA:

/s/ Gordon E. Taylor  
MINISTER OF HIGHWAYS







CHAPTER 89, LAWS OF MONTANA, 1955

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OFFICIALS PERMITTED TO SELL G. V. W. PERMITS

AN ACT TO AMEND SECTION 5, CHAPTER 219 OF THE LAWS OF 1951, RELATING TO PLACE FOR PAYMENTS OF FEES BY NONRESIDENT OWNERS OR OPERATORS OF TRUCKS, TRAILERS AND SEMITRAILERS, AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

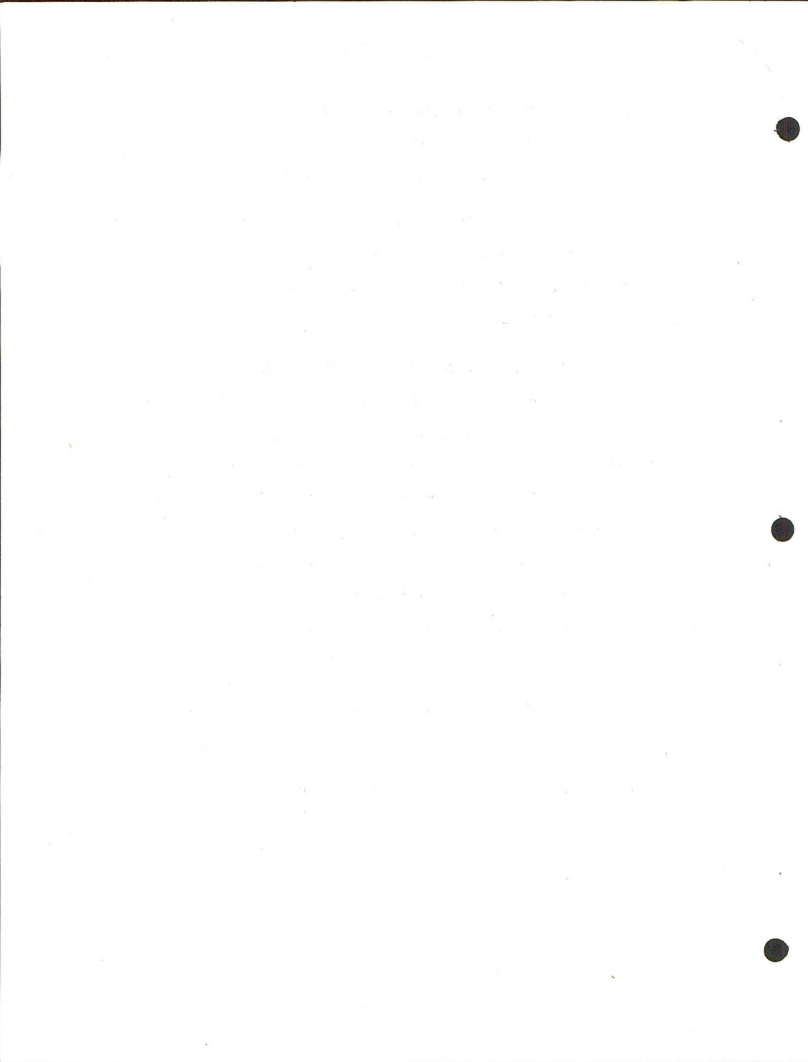
BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 5 of Chapter 219, Laws of 1951, be, and the same is hereby amended to read as follows:

"Section 5. Nonresident owners or operators of trucks, trailers and semitrailers shall immediately upon their arrival in the State of Montana contact the nearest state highway patrol or any state highway commission office or the county sheriff or the county treasurer's office and secure the license and pay the fees as in this act prescribed; provided that all fees collected shall immediately be remitted to the county treasurer."

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after March 1, 1955.



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ESTABLISHMENT OF FACT FINDING COMMITTEE AND  
HIGHWAY RESEARCH COUNCIL

AN ACT RELATING TO THE CREATION OF A FACT FINDING COMMITTEE ON HIGHWAYS, STREETS AND BRIDGES; DECLARING THE PURPOSE OF THIS ACT; CREATING THE MONTANA FACT FINDING COMMITTEE ON HIGHWAYS, STREETS AND BRIDGES; PRESCRIBING THE POWERS AND DUTIES OF SAID COMMITTEE; AND FIXING A LICENSE FEE TO FINANCE SAID COMMITTEE AND APPROPRIATING MONEY FOR SAID COMMITTEE; PROVIDING FOR THE CREATION OF THE MONTANA COUNCIL FOR HIGHWAY RESEARCH AND SPECIFYING THE DUTIES THEREOF; PROVIDING FOR SEVERABILITY OF THE PROVISIONS OF THIS ACT; REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ACT SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. The purpose of this act is to provide for a committee to study and review the laws and policies of the state of Montana relating to construction, maintenance, financing and use of highways, roads, streets and bridges within the state of Montana for the purpose of recommending to the 1957 legislative assembly necessary changes in the method of constructing and maintaining highways, roads, streets and bridges in the state of Montana, equitable and adequate methods of licensing and taxing motor vehicles and other property to finance an adequate and proper program, and to allocate responsibility and moneys between the state, counties and cities in order to provide for an adequate highway program, including county roads and city streets for use of the public.

Section 2. There is hereby created the "Montana Fact Finding Committee on Highways, Streets and Bridges", hereinafter referred to as the committee, which shall consist of twelve (12) members appointed by the Governor; provided, that not more than six (6) members of said committee shall, at time of appointment or thereafter, be members of the same political party. One (1) member shall be appointed from each of the twelve (12) highway financial districts, as defined in Section 84-1815, Revised Codes of Montana, 1947, and shall be a bona fide resident of such district and such appointments shall be for the existence of the committee so created. Vacancies occurring or existing in the committee membership shall be filled by appointment by the Governor; provided further, that no two (2) members of said committee shall at time of appointment or thereafter be residents of the same financial district as herein mentioned.

Section 3. The committee shall organize on a date to be fixed by the Governor, but not later than April 1, 1955, by electing one of its members chairman and by electing such other officers from its membership as the committee shall deem desirable. The committee is empowered to adopt rules of procedure and to make all arrangements for its meetings and to carry out the purposes for which it is created. The committee shall keep accurate records of its activities and proceedings.

(a) The committee may employ an executive director and such other personnel, not members of the committee, as it deems necessary to assist

in the preparation of its recommendations, statistics, proposed legislative acts and any other of its activities and shall fix the compensation of such employees.

(b) The committee is authorized to act until the commencement of the next regular session of the Montana legislative assembly and make its report on or before the 10th legislative day of such legislative assembly which will convene in the year 1957.

Section 4. The committee is hereby authorized and directed to ascertain, study and analyze all available facts and matters relating or pertaining to:

(a) A study of the policies relating to and the cost of administration, operation, construction and maintenance of public highways and streets of the state, with recommendations for such changes as may be deemed necessary;

(b) The need for and cost of bringing the highways and streets in the state to acceptable standards, the cost of maintaining them in such condition, the need and cost of expanding the highway and street system of the state to meet the increasing demands for travel and the demands arising from the changing economic and industrial development, and the determination of long range programs to provide the needed construction;

(c) The making of a study of motor vehicle taxation including the assignment of the total highway costs among property owners, general taxpayers and highway users;

(d) The determination of the portion of highway and street operation and construction costs assignable to the various highway users and classes of users so that all vehicles and classes of vehicles shall bear their fair share of such costs;

(e) The determination of the tax basis and rates to be exacted from each vehicle or user; including a complete study of the Oregon weight-distance tax and the determination of rates to be assessed to each class of highway user and to each weight group; provided further, that such study and determination shall include the preparation of bills necessary for the enactment of such legislation in the state of Montana and to resolve any conflict with laws currently in effect;

(f) A determination of what roads should be included in the state highway system and what changes should be made in the existing system;

(g) Other studies of motor vehicles' transport economics, including, but not limited to the inspection of motor vehicles to insure the safety of operation upon the highways, the control of loads and weights for the protection of the highway and street investments, and a study of such other factors and conditions as may appear necessary;

(h) Participate in the activities of the "Western Interstate Committee on Highway Policy Problems" of the eleven western states in its study on highway problems upon a state and regional basis, and cooperate with and contribute to any study made by such committee of highway-user cost allocations in order to bring about equity and uniformity in this state and in the eleven western states in highway-user taxes and fees; and participate in or make joint studies with relation to the design and construction of highways and the use and cost thereof;

(i) The revision of any and all laws bearing upon or relating to the subject of this resolution together with the committee's recommendation for appropriate legislation;

(j) To enter upon a review of the state highway system with particular consideration of the usefulness of all highways that are part of the state system, any need for a change in the state system by addition or deletion, and the relationship between the state system and county roads and city streets, but any such study shall not have for its purpose the increase of the present total mileage of either the primary or secondary roads;

(k) To participate with the state highway commission in any study which may be undertaken of the relationship of motor vehicle weights and highway design and costs.

Section 5. The committee, in order to accomplish the purposes of the act, shall have the following powers and duties:

(a) To employ an executive secretary and such expert, clerical, and other help as may be necessary to carry out its duties;

(b) To examine and study the organization and practices of state, county and city offices and agencies relating to construction, maintenance, operation and financing of highways, streets and roads or relating to fees charged for the use of such highways, roads and streets;

(c) To examine the current condition of all state, county and city funds derived from use of the highways, roads or streets or designated for use on such highways, roads or streets;

(d) To hold public hearings and to make such investigations and surveys, or co-operate in the making of investigations or surveys, as it may deem desirable;

(e) To delegate to an executive committee or committees or sub-committees, consisting of its own members, any authority, responsibility or duties deemed appropriate and necessary for efficient operation;

(f) To compel the attendance of witnesses before its hearings and require the production of papers, documents or other evidence required by it, and to issue subpoenas for such purposes;

(g) To cooperate with and secure the cooperation of the state highway commission, state agencies, boards of county commissioners or officers, city councils and officers, and other associations, groups or institutions in investigating any matter within the scope of this act;

(h) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this act.

Section 6. The committee shall report its findings and recommendations, together with any proposed legislative enactments it deems necessary, to the Governor, the President of the Senate and the Speaker of the House, not later than commencement of the next regular legislative assembly.

Section 7. The members of the committee shall be reimbursed for their actual expenses, but not to exceed Fifteen Dollars (\$15.00) per day, incurred while attending sessions of the committee or any sub-committee thereof, or other authorized business of the committee, plus transportation as provided for state officers. All expenses of the committee shall be paid from moneys appropriated as hereinafter provided in the usual manner of payments of claims against the state highway general fund.

Section 8. There is hereby appropriated from the state highway general fund to the committee the sum of Thirty-five Thousand Dollars (\$35,000.00), or so much thereof as may be necessary to carry out the purposes of this act; provided, that in addition to all other fees prescribed by law, there shall be paid for each bus, truck, or trailer, registered for operation during the calendar year of 1956, at the time of registration, the following amounts:

For each trailer over 6,000 lb. and up to 24,000 lbs. ....	\$ 0.50
For each trailer over 24,000 lbs. ....	\$ 1.00
For each passenger bus paying fees under the Gross Vehicle Weight Law ....	\$ 1.00
For each truck up to 6,000 lbs. ....	\$ 0.25
For each truck over 6,000 lbs. and up to 24,000 lbs. ....	\$ 0.50
For each truck over 24,000 lbs. ....	\$ 1.00

That all such additional registration fees shall be remitted monthly by the county treasurer, on or before the 15th day of the month after collection, to the treasurer of the state of Montana for deposit in the state highway fund to replace the Thirty-five Thousand Dollars (\$35,000.00), or so much thereof as may be necessary to carry out the purposes of this act. Any excess funds shall remain in the highway fund for the construction, reconstruction, maintenance, engineering on the public highways of this state.

Section 9. The committee is authorized to avail themselves of the services of the Montana council, hereinafter created, for highway research and to cooperate with said body.

Section 10. The council shall consist of the Chairman of the State Highway Commission, the State Highway Engineer, the District Engineer of the U. S. Bureau of Public Roads, ex-officio members, and 16 additional members appointed by the Governor of the State of Montana as follows:

One (1) representative each from organizations representing:

Agriculture,  
National Highway Users Conference,  
Labor,  
Logging,  
Manufacturing,  
Wholesale business,  
Automobile Dealers,  
Retail business,  
Automobile clubs,  
Motor carriers,  
Motor bus operators,  
Mining,  
County Commissioners,  
City officials.

Two (2) representatives from institutions of higher learning in this state.

The council shall complete its own organization, elect a chairman and such other officers as it may deem necessary. Members of the council shall serve at the pleasure of the Governor.

Section 11. The council is hereby authorized and directed to:

(a) To confer with and advise the committee upon all matters which the committee may from time to time suggest.

(b) Consider the need for research or studies in all matters concerning highway construction, planning, needs, taxes, safety and related matters.

(c) Prepare reports on the feasibility or necessity for such studies and research.

(d) Recommend to the committee fields which require study or research and the methods to be used.

(e) Prepare and present to the committee an analysis of the results of research or studies undertaken as provided herein.

Section 12. If any clause, sentence, paragraph, section, subdivision, or part of this act shall, for any reason, be adjudged by any court or competent jurisdiction to be invalid, inoperative, or unconstitutional, such decision shall not affect, impair or invalidate the remaining portions of this act, but shall be confined in its operation to the clause, sentence, paragraph, section, subdivision, or part directly adjudged to be invalid, inoperative, or unconstitutional.

Section 13. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 14. This Act shall be in full force and effect from and after March 2, 1955.

CHAPTER 156, LAWS OF MONTANA, 1955

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ENFORCEMENT AGENCIES OF THE G. V. W. LAW

AN ACT TO AMEND SECTION 10, CHAPTER 219 OF THE LAWS OF 1951, RELATING TO THE ENFORCEMENT OF THE PROVISIONS OF SAID ACT RELATIVE TO THE EXAMINATION AND INSPECTION OF TRUCKS, TRAILERS AND SEMITRAILERS, BUSES, OR AUTOMOBILES OPERATING UPON THE HIGHWAYS IN THIS STATE, AND PROVIDING BY WHOM SAID ACT SHALL BE ENFORCED; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HERewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 10 of Chapter 219, Laws of 1951, be, and the same is hereby amended to read as follows:

"Section 10. It shall be the duty of the Montana State Highway Patrol and any designated and duly appointed employee of the State Highway Commission to enforce the provisions of this act and each member thereof is hereby instructed to make examinations and inspection of trucks, trailers and semitrailers, buses, or automobiles operating upon the highways in this state, to ascertain whether or not the provisions of this law have been complied with."

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after March 3, 1955.



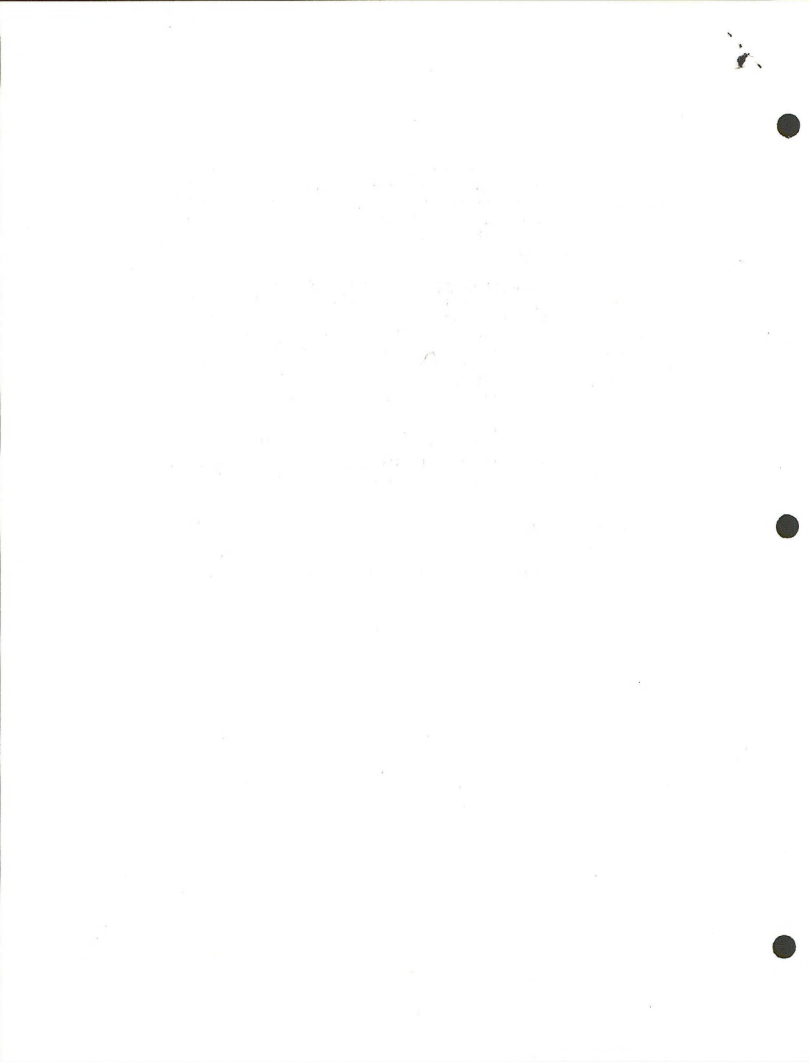
(c) Agreements or arrangements entered into under the authority herein granted may contain provisions denying the exemptions, benefits and privileges granted thereunder to any owner who violates conditions stated therein or who violates rules and regulations for the administration of reciprocal exemptions, benefits and privileges issued by the State Reciprocity Board.

(d) The State Reciprocity Board is authorized to examine the legal requirements of motor vehicle registration, license and weight fee statutes of states which grant reciprocal privileges to out-of-state owners but which do not authorize negotiation or execution of agreements by administrative officials and it is authorized to determine, by such examination, and to declare the extent and nature of the reciprocal exemptions, benefits and privileges to which owners of vehicles from such states shall be entitled under the laws of this state.

(e) All agreements, arrangements, declarations and rules and regulations authorized by this section shall be in writing and shall become effective when filed with the secretary for the State Reciprocity Board who shall make copies available to the public upon request."

Section 2. All acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after March 3, 1955.



CHAPTER 162, LAWS OF MONTANA, 1955

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SPECIAL FUEL TAX ACT

AN ACT IMPOSING A TAX UPON THE USE, RECEIPT, DELIVERY OR PLACING INTO THE FUEL SUPPLY TANKS OF MOTOR VEHICLES WHICH ARE WITHIN THIS STATE, OF SPECIAL FUELS AS DEFINED HEREIN; PROVIDING FOR THE PAYMENT OF SUCH TAX TO THE STATE BOARD OF EQUALIZATION; REQUIRING A LICENSE FOR SPECIAL FUEL DEALERS AND A LICENSE AND PERMIT FOR SPECIAL FUEL USERS AS DEFINED IN THIS ACT; PROVIDING METHODS FOR THE ASSESSMENT, COLLECTION AND DISPOSITION OF SUCH TAX, AND FOR THE KEEPING OF RECORDS; PROVIDING THE PROCEDURE FOR CREDITS; PROVIDING THAT THIS ACT MAY BE CITED AS THE "SPECIAL FUEL TAX ACT"; DEFINING TERMS; PROVIDING FOR MONTHLY RETURNS AND PAYMENTS; PROVIDING FOR JUDICIAL REVIEW AND APPEALS; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS OF THIS ACT; PROVIDING FOR THE ADMINISTRATION OF THIS ACT AND FOR VIOLATIONS AND PENALTIES; AND REPEALING SECTIONS 84-1824, 84-1825, 84-1826, AND 84-1827, REVISED CODES OF MONTANA, 1947, AND ALL OTHER ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. Title. This Act may be cited as the "Special Fuel Tax Act".

Section 2. Definitions. As used in this Act, the following definitions shall apply:

(a) "Person" means and includes any person, firm, association, joint stock company, syndicate, co-partnership, or corporation. Whenever used in any clause prescribing and imposing a fine or imprisonment or both, as applied to a firm, association, syndicate, or co-partnership, means and includes the partners or members thereof, and as applied to joint stock companies and corporations, the officers thereof.

(b) "Board" means the State Board of Equalization of the State of Montana.

(c) "Highway" means every way or place generally open to the use of the public for the purpose of vehicular travel, notwithstanding that they may be temporarily closed or travel thereon restricted for the purpose of construction, maintenance, repair or reconstruction.

(d) "Motor vehicle" means any vehicle which is self-propelled upon the highways.

(e) "Special fuel" means and includes all combustible gasses and liquids, including liquid petroleum gases, suitable for the generation of power for propulsion of motor vehicles, except that it does not include motor fuel as defined in Section 84-1801 (1) (a), Revised Codes of Montana, 1947, and any amendments thereto.

(f) "Use" means either the receipt, delivery or placing of special fuels by a special fuel dealer into the fuel supply tank or tanks of any motor vehicle not owned or controlled by him, while such vehicle is within this State, or the consumption by a special fuel user of special fuels in propulsion of a motor vehicle on the highways of this State.

(g) "Special fuel dealer" means any person in the business of handling special fuel who delivers any part thereof into the fuel supply tank or tanks of a motor vehicle not then owned or controlled by him. For this purpose the term "fuel supply tank or tanks" does not include cargo tanks even though fuel is withdrawn directly therefrom for propulsion of the vehicle.

(h) "Special fuel user" means any person who consumes in this state special fuel for the propulsion of motor vehicles owned or controlled by him upon the highways of this State.

(i) "Bond" means: (1) a bond duly executed by such special fuel dealer or special fuel user as principal with a corporate surety qualified under the laws of Montana, which bond shall be payable to the State of Montana conditioned upon faithful performance of all requirements of this act, including the payment of all taxes, penalties and other obligations of such special fuel dealer or special fuel user arising out of this Act; or (2) a deposit with the State Treasurer by the special fuel dealer or special fuel user under such terms and conditions as the board may prescribe of a like amount of lawful money of the United States or bonds or other obligations of the United States or the State of Montana or of any county thereof, of an actual market value not less than the amount so fixed by the board.

Section 3. Tax imposed: There is hereby levied and imposed a tax on the use of each and every gallon of special fuel in any motor vehicle while operated upon the highways, equivalent to the lawful tax levied on motor fuel under Section 84-1813, or on liquid petroleum gases under Section 84-1802, Revised Codes of Montana, 1947, and any amendments thereto. Said tax, with respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles in this state, shall attach at the time of such delivery and shall be collected by such special fuel dealer from the special fuel user and shall be paid over to the Board as hereinafter provided. Said tax, with respect to special fuel acquired by any special fuel user in any manner other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle, shall attach at the time of the consumption of such fuel in the propulsion of a motor vehicle upon the highways of the state and shall be paid over to the board by the special fuel user as hereinafter provided.

Section 4. Special Fuel Dealers' and Special Fuel Users' Licenses and Special Fuel Vehicle Permits (a) Required: It shall be unlawful for any person to act as a special fuel dealer in this state unless such person is the holder of an uncancelled fuel dealers' license issued to him by the board. Except for special fuel which is delivered by a special fuel dealer into a fuel supply tank of any motor vehicle in this state, it shall be unlawful for any person to consume special fuel for the propulsion of a motor

vehicle upon the highways of this State unless such person is the holder of an uncanceled fuel user's license issued to him by the board.

Every special fuel user shall obtain prior to the use of special fuel for the propulsion of a motor vehicle or vehicles in this State, a special fuel vehicle permit for such vehicle or vehicles operated by him upon the highways as herein defined.

(b) Application: Application for a special fuel dealer's license, a special fuel user's license, or a special fuel vehicle permit shall be made to the board.

(c) Form of application: The application shall be filed upon a form prepared and furnished by the board. The application shall contain such information as the board deems necessary.

(d) Bond: No special fuel dealer's license or special fuel user's license shall be issued to any person or continued in force unless such person has furnished bond, as defined in section 2 (i) and in such form as the Board may require to secure its compliance with this act, and the payment of any and all taxes, interest and penalties due and to become due hereunder.

The total amount of the bond or bonds required of any special fuel dealer or special fuel user shall be equivalent to twice his estimated monthly tax payments as hereinafter provided, determined in such manner as said board may deem proper; provided, however, that the total amount of the bond or bonds shall never be less than Five Hundred Dollars (\$500.00).

(e) Issuance: Upon receipt of the application and bond in proper form, the board shall issue to the applicant a license to act as a special fuel dealer or special fuel user or a special fuel vehicle permit; provided, however, the Board may refuse to issue a special fuel dealer's license, a special fuel user's license or a special fuel vehicle permit to any person: (1) who formerly held either type of license or permit which, prior to the time of filing application has been revoked for cause; or (2) who is not the real party in interest and where the license or permit of the real party in interest has been revoked for cause prior to the time of filing such application; or (3) upon other sufficient cause being shown. Before such refusal, the Board shall grant the applicant a hearing and shall grant him at least ten (10) days' written notice of the time and place thereof.

(f) Expiration of license or permit: Each special fuel dealer's license, special fuel user's license and special fuel vehicle permit shall be valid until suspended or revoked for cause or otherwise cancelled.

(g) Assignment forbidden: No special fuel dealer's license, special fuel user's license or special fuel vehicle permit shall be transferable.

(h) Revocation, cancellation and surrender of license, permit and bond: The board may revoke the license of any special fuel dealer or special fuel user or a special fuel vehicle permit for reasonable cause. Before revoking such license or permit, the board shall notify the licensee or permittee to show cause within thirty (30) days of the date of the notice

why the license or permit should not be revoked; provided, however, that at any time prior to and pending such hearing the board may, in the exercise of reasonable discretion, suspend such license or permit.

The board shall cancel any license to act as a special fuel dealer or a special fuel user or any special fuel vehicle permit immediately upon surrender thereof by the holder.

(i) Release of surety: Any surety on a bond furnished by a special fuel dealer or special fuel user as provided herein shall be released and discharged from any and all liability to the state accruing on such bond after the expiration of thirty (30) days from the date upon which such surety shall have lodged with the board a written request to be released and discharged, but this provision shall not operate to relieve, release, or discharge the surety from any liability already accrued or which shall accrue before the expiration of the thirty (30) day period. The board shall promptly upon receiving any such request, notify the special fuel dealer or special fuel user who furnished the bond, and unless the special fuel dealer or special fuel user shall, on or before the expiration of the thirty (30) day period, file a new bond, in accordance with the requirements of this section, or make a deposit in lieu thereof as provided in section 2 (i), the board forthwith shall cancel the special fuel dealer's or special fuel user's license.

(j) Additional bond or deposit: The Board may require a special fuel dealer or special fuel user to give a new or additional surety bond or to deposit additional securities of the character specified in section 2 (i), if, in his opinion, the security of the surety bond therefor filed by such special fuel dealer or special fuel user, or the market value of the properties deposited as security by such special fuel dealer or special fuel user, shall become impaired or inadequate; and upon failure of the special fuel dealer or special fuel user to give such new additional surety bond or to deposit additional securities within thirty (30) days after being requested so to do by the Board, said Board forthwith shall cancel his license.

#### Special

Section 5. Special Fuel Dealers' and/Fuel Users' Records. (a) Preparation of records: Every special fuel dealer, special fuel user and every person importing, manufacturing, refining, dealing in, transporting or storing, special fuel in this state shall keep such records, receipts and invoices and other pertinent papers, with respect thereto as the board may require. The records, receipts, invoices and other pertinent papers shall be available at all times during the business hours of the day, to the board.

(b) Retention of records: Said records, receipts, invoices and other pertinent papers shall be required to be kept for a period of at least five (5) years from the date of which the return to which they relate was required to have been made.

Section 6. Monthly returns and payments (a) Returns: For the purpose of determining the amount of his liability for the tax herein imposed, each special fuel dealer and each special fuel user shall file with the board, on forms prescribed by said board, a monthly tax return. Such return shall con-

tain a declaration by the person making the same, to the effect that the statements contained are true and are made under penalties of perjury, which declaration shall have the same force and effect as a verification. The return shall show such information as the board may reasonably require for the proper administration and enforcement of this act; provided, however, that if a special fuel dealer or user is also a wholesale distributor of special fuel at a location where special fuel is delivered into the supply tank of a motor vehicle, and if separate storage is provided thereat from which special fuel is delivered or placed into fuel supply tanks of motor vehicles, the monthly return to the board need not include inventory control data covering bulk storage from which wholesale distribution of special fuel is made. The special fuel dealer or special fuel user shall file the return on or before the 25th day of the next succeeding calendar month following the monthly period to which it relates; provided, however, that for good cause the board may grant a taxpayer a reasonable extension of time for filing, but not to exceed thirty (30) days.

If the final filing date falls on a Saturday, Sunday or legal holiday, the next secular or business day shall be the final filing date. Such reports shall be considered filed or received on the date shown as received by the board.

(b) Computation: The tax imposed by this Act shall be computed as follows: (1) with respect to special fuel used by the seller thereof as a special fuel dealer, by multiplying the tax rate per gallon provided in this act by the number of gallons of special fuel delivered or placed by him into the supply tank or tanks of a motor vehicle, (2) with respect to special fuel as to which the tax has not been paid to a special fuel dealer in this state and which has been consumed by the purchaser thereof as a special fuel user, by multiplying the tax rate per gallon provided in this act by the number of gallons of special fuel consumed by him in the propulsion of motor vehicles on the highways of this state.

(c) Payments: The monthly tax return shall be accompanied by remittance covering the tax due hereunder on account of the use as defined in 2 (f) of special fuels during the preceding month.

(d) Refusal or failure to file return or pay tax when due: In case of any special fuel dealer or special fuel user who refuses or fails to file a return required by this act within the time prescribed by subsection (a) of this section, there is hereby imposed a penalty of one hundred dollars (\$100.00) or a sum equal to twenty-five percent (25%) of the tax due, whichever is greater, together with interest at the rate of one percent (1%) on the tax due, for each calendar month or fraction thereof during which such refusal or failure continues; provided, however, that if any such special fuel dealer or special fuel user shall establish to the satisfaction of the board that his failure to file a return within the time prescribed was due to reasonable cause, the board shall waive the penalty provided by this subsection.

(e) Failure to pay tax: Where a special fuel dealer or a special fuel user files a return, but fails to pay in whole or in part the tax due hereunder, there shall be added to the amount due and unpaid, interest at the rate of one percent (1%) per month or fraction thereof, from the date such tax was due to the date of payment in full thereof.

(f) Deficiency: If it be determined by the board that the tax reported by any special fuel dealer or special fuel user is deficient, it shall proceed to assess the deficiency on the basis of information available to it and there shall be added to this deficiency interest at the rate of one percent (1%) per month or fraction thereof from the date the return was due.

(g) Determination if no return made: If any special fuel dealer or special fuel user, whether or not he is licensed as such, fails, neglects, or refuses to file a special fuel tax return when due, the board shall, on the basis of information available, to it, determine the tax liability of the special fuel dealer or the special fuel user for the period during which no return was filed, and to the tax as thus determined, the board shall add the penalty and interest provided in subsection (d) above.

An assessment made by the board pursuant to this subsection or to subsection (f) of this section shall be presumed to be correct, and in any case where the validity of the assessment is drawn in question, the burden shall be on the person who challenges the assessment to establish by a fair preponderance of the evidence that it is erroneous or excessive as the case may be.

(h) Fraudulent return: If any special fuel dealer or special fuel user shall file a false or fraudulent return with intent to evade the tax imposed by this act, there shall be added to the amount of deficiency determined by the board a penalty equal to twenty-five percent (25%) of the deficiency together with interest at one percent (1%) per month, or fraction thereof, on such deficiency from the date such tax was due to the date of payment, in addition to all other penalties prescribed by law.

(i) Limitation: Except in the case of a fraudulent return or of neglect, or refusal to make a return, every deficiency shall be assessed under subsection (f) above within five (5) years after the 25th day of the next succeeding calendar month following the monthly period for which the amount is proposed to be determined or within five (5) years after the return is filed, whichever period expires the later.

Section 7. Credits. Any person who has paid a special fuel tax either directly or to the vendor from whom it was purchased, shall receive credit in the amount of any tax paid on special fuel exported for use outside of this state. Special fuel carried from this state in the fuel tank of a motor vehicle is deemed to be exported from this state.

Section 8. Procedures for Credits. Any amount determined to be creditable by the board under Section 7 of this act shall first be credited on any amounts then due and payable from the special fuel dealer or special fuel user to whom the refund is due, and the board shall then certify the balance to the credit of the dealer or user.

Section 9. Administration: (a) Rules and regulations: The board shall enforce the provisions of this act, and may prescribe, adopt and enforce reasonable rules and regulations relating to the administration and enforcement thereof.

(b) Examination of records: The board or its authorized representative is hereby empowered to examine the books, papers, records and equipment of any special fuel dealer or special fuel user or any person dealing in, transporting, or storing special fuel as defined in this act and to investigate the character of the disposition which any person makes of such special fuel in order to ascertain and determine whether all excise taxes due hereunder are being properly reported and paid. If such books, papers, records and equipment are not maintained in this state at the time of demand, they shall be furnished to the board for review or such dealer or user shall bear the reasonable cost of examination by an agent authorized or designated by the board at the place where such books or records are kept provided the taxpayer shall not be liable for such costs for a period exceeding one (1) week or for such longer period as he may consent to in writing, unless the result of said examination is the payment of a tax deficiency.

(c) Evidence: For the purpose of enforcing the provisions of this act, the fact that a special fuel dealer or a special fuel user has placed or received special fuel into storage or dispensing equipment designed to fuel motor vehicles shall be prima facie evidence that all of such special fuel has been delivered by the special fuel dealer or special fuel user into the fuel supply tanks of motor vehicles and consumed in the propulsion of motor vehicles upon the highways as herein defined unless the contrary shall be established by satisfactory evidence.

(d) Reciprocal exchange of data: The board shall, upon request from officials to whom are entrusted the enforcement of the special fuel tax law of any other state, the District of Columbia, the United States, its territories and possessions, the provinces of the Dominion of Canada, forward to such officials any information which it may have relative to the receipt, storage, delivery, sale, use or other disposition of special fuel by any special fuel dealer or special fuel user, provided such other state or states furnish like information to this state.

Section 10. Violations and penalties: (a) Acts forbidden: It shall be unlawful for any person to:

(1) Refuse, or knowingly and intentionally fail to make and file any statement required by this act in the manner or within the time required;

(2) Knowingly and with intent to evade or to aid in the evasion of the tax imposed herein to make any false statement or conceal any material fact in any record, return, or affidavit provided for in this act;

(3) Conduct any activities requiring a license under this act without a license or after a license has been surrendered, cancelled or revoked;

(4) Fail to keep and maintain the books and records required by this act.

(b) Penalties and remedies: Any person violating any provision of this section is guilty of a misdemeanor, unless the act is by any other law of this state declared to be a felony, and upon conviction is punishable by a fine of not less than one hundred dollars (\$100.00) nor more than two thousand dollars (\$2,000.00), or by imprisonment for not less than thirty (30) days nor more than six (6) months, or by both such fine and imprisonment.

(c) Penalties are cumulative: The fine and imprisonment provided for in this section shall be in addition to any other penalty imposed by any other provision of this act.

Section 11. Disposition of funds: All taxes, interest and penalties collected under this act shall be turned over promptly to the state treasurer and the state treasurer shall place the same to the credit of the state highway fund.

Section 12. Judicial review and appeals: Any determination of the board hereunder may be reviewed by the District Court of Lewis and Clark County, and an appeal may be taken from the judgment of said District Court to the Supreme Court.

Section 13. Severability: If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given without the invalid provision or application, and to this end, the provisions of this act are declared to be severable.

Section 14. Repeal: Sections 84-1824, 84-1825, 84-1826, 84-1827, Revised Codes of Montana, 1947, and all other acts and parts of acts in conflict herewith are hereby repealed.

Section 15. This Act shall be in full force and effect from and after June 30, 1955.

CHAPTER 175, LAWS OF MONTANA, 1955

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PROVIDING 1/2 YEAR G. V. W. FEES

AN ACT TO AMEND SECTION 4, CHAPTER 219, LAWS OF 1951, RELATING TO TIME FOR PAYMENT OF FEES - HALF FEE AFTER JULY FIRST; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HERewith.

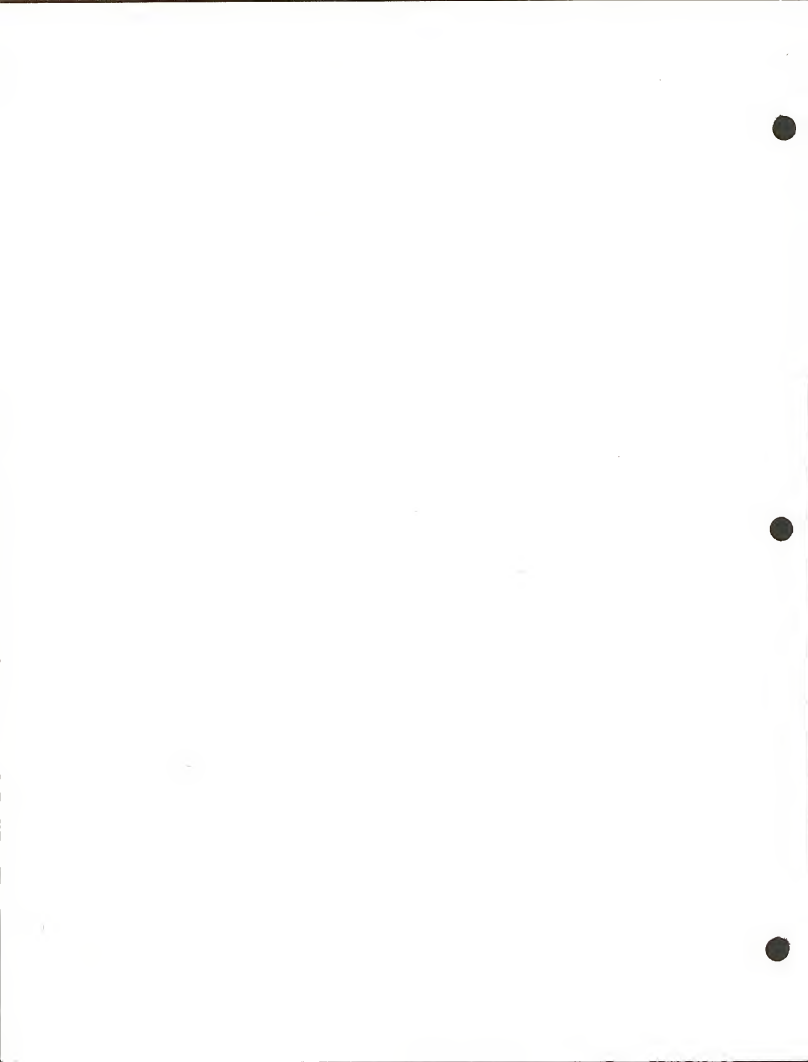
BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 4, Chapter 219, Laws of 1951, be, and the same is hereby amended to read as follows:

"Section 4. Residents of the state of Montana, or non-residents, who own trucks, trailers or semitrailers, busses or new passenger automobiles and operate the same upon the highways of the state of Montana shall at the time they make application for their Montana license as provided for in section 53-114, Revised Codes of Montana, 1947, pay the fees herein prescribed; provided that said residents or non-residents who make application for a license after the 1st day of July of any year shall pay one-half (1/2) of the fees provided herein."

Section 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after July 1, 1955.



CHAPTER 177, 1955 SESSION LAWS

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ITINERANT TRIP PERMITS

AN ACT TO AMEND SECTION 2, CHAPTER 219, LAWS OF 1951, RELATING TO ADDITIONAL FEES ON TRUCKS, TRUCK-TRACTORS, TRAILERS AND SEMITRAILERS FROM OTHER STATES; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 2, Chapter 219, Laws of 1951, be, and the same is hereby amended to read as follows:

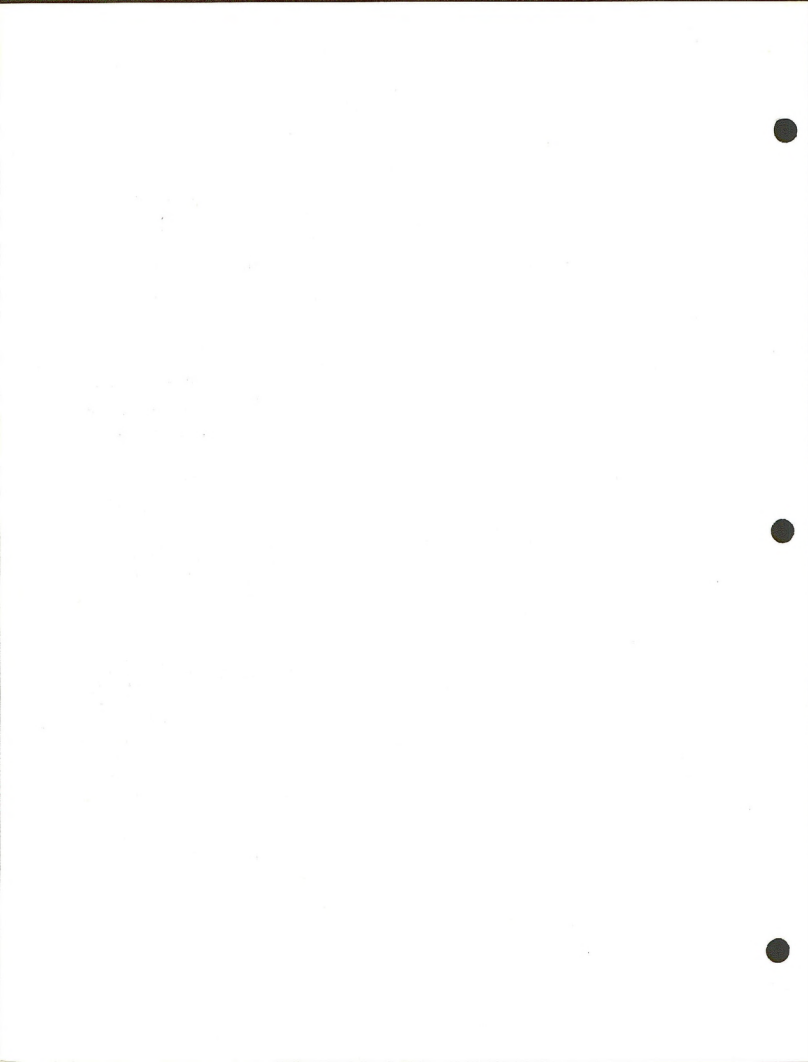
"Section 2. Additional fees on trucks, truck-tractors, trailers and semitrailers from other states. In lieu of other fees for the licensing of vehicles, there shall be collected a fee for each motor truck, truck-tractor, trailer and semitrailer licensed for that year in another jurisdiction and operated on an itinerant basis in this state upon each entrance into the State of Montana, based upon the application of the non-resident operator, a fee to be computed as follows:

Five dollars (\$5.00) for each trip for the first two hundred (200) miles or less, seven dollars and fifty cents (\$7.50) for each trip over two hundred (200) miles, and up to four hundred (400) miles or less, ten dollars (\$10.00) for each trip over four hundred (400) miles, on any vehicle or on each truck, truck-tractor, semitrailer and full trailer in a combination of said vehicles of over six thousand (6,000) pounds gross weight; provided, however, such fees shall not apply to any trailer the principal use of which is living quarters, temporary or permanent or to any vehicle of a carnival which is under contract with a State, County or District Fair Association.

Such temporary trip permits shall contain such information and be in such form and shall be issued under such rules and regulations as may be prescribed by the state highway commission, and shall be displayed at all times while such vehicle is being operated on the highways of this state by posting the same upon the windshield of each such vehicle or in another prominent place thereon where it may be readily legible. Provided further, that the state highway commission may limit the operation of such vehicles in this state to a definite period of time and provided further that each trip shall be defined as the total number of miles travelled within the State of Montana."

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after July 1, 1955.



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## MOVEMENT OF SPECIAL MOBILE EQUIPMENT

AN ACT TO PROVIDE FOR THE PAYMENT OF FEES AND ISSUANCE OF IDENTIFICATION PLATES TO PERSONS, FIRMS AND CORPORATIONS MOVING SPECIAL MOBILE EQUIPMENT OCCASIONALLY OVER THE HIGHWAYS; PROVIDING FOR THE FEES FOR ISSUANCE OF IDENTIFICATION PLATES; PROVIDING FOR THE COLLECTION OF SUCH FEES BY THE COUNTY TREASURER; PROVIDING FOR DISPLAY OF IDENTIFICATION PLATES AND RECEIPTS FOR SAME ON EACH PIECE OF EQUIPMENT; PROVIDING FOR DEPOSIT OF SUCH FUNDS FROM IDENTIFICATION PLATES IN THE GENERAL ROAD FUND OF THE COUNTY; PROVIDING FOR EXEMPTION OF PUBLICLY-OWNED SPECIAL MOBILE EQUIPMENT FROM SAID FEES; DEFINING SPECIAL MOBILE EQUIPMENT; PROVIDING FOR EXPIRATION DATE OF IDENTIFICATION PLATES.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. Every person, firm, partnership, or corporation who owns, leases, or rents special mobile equipment as hereinafter defined, and occasionally moves said equipment on, over, or across the highways of the State of Montana shall not be subject to registration of said equipment nor be required to pay the fees and charges provided for by Chapter 219 of the Session Laws of the 32nd Legislative Assembly of the State of Montana, 1951, as the same is now, or may hereafter be, amended, but prior to any movement on the highways, each piece of such equipment shall display an equipment identification plate attached thereto. Annual application for the identification plate shall be made to the county treasurer prior to or before any such piece of equipment is moved over the highway, on a form furnished by the Registrar of Motor Vehicles, together with the payment of a fee of Five Dollars (\$5.00). The fees collected under this Act shall belong to the General Road Fund of the county and be for the use and benefit of that Fund. Provided, that publicly-owned special mobile equipment and equipment and implements of husbandry designed and used exclusively by an owner in the conduct of his own farming operations are exempt from the provisions of this act.

Section 2. The county treasurer shall issue to each applicant a single metal plate with a distinguishing number and a receipt for the fee collected, which receipt shall contain the name and address of the applicant, the number of the plate issued, the serial number of the equipment and a brief description of the same.

Section 3. The receipt shall be carried in a suitable container attached to the equipment or immediately available for inspection of any peace officer or highway patrolman.

Section 4. "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including road construction equipment or maintenance machinery, ditch-digging apparatus, well-boring apparatus and concrete mixers. The foregoing enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section; provided, that the term "special mobile equipment" does not include any of the following:

(a) A vehicle such as a truck, truck tractor, trailer, or semitrailer, originally designed for the transportation of persons or property to which machinery has been attached;

(b) Dump truck and truck-mounted transit mixers, or any rubber-tired truck or trailer, self-propelled, or towed, from which machinery can be removed and such vehicle used to transport persons or property.

Section 5. The identification plate for special mobile equipment shall expire on December 31st of each year in which it was issued.

Section 6. This Act shall be in full force and effect from and after July 1, 1955.

partial and shall not operate to exclude other such vehicles which are within the general terms of this section; provided, that the term "special mobile equipment" does not include any of the following:

(a) A vehicle such as a truck, truck tractor, trailer, or semitrailer, originally designed for the transportation of persons or property to which machinery has been attached;

(b) Dump truck and truck-mounted transit mixers, or any rubber-tired truck or trailer, self-propelled, or towed, from which machinery can be removed and such vehicle used to transport persons or property.

Section 5. The identification plate for special mobile equipment shall expire on December 31st of each year in which it was issued.

Section 6. This Act shall be in full force and effect from and after July 1, 1955.

CHAPTER 210, LAWS OF MONTANA, 1955

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DIESEL FUEL TAX - 9¢

AN ACT TO AMEND SECTION 84-1813, REVISED CODES OF MONTANA, 1947, RELATING TO TAX TO BE COLLECTED ON MOTOR FUEL AND FIXING THE AMOUNT THEREOF, WHEN; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

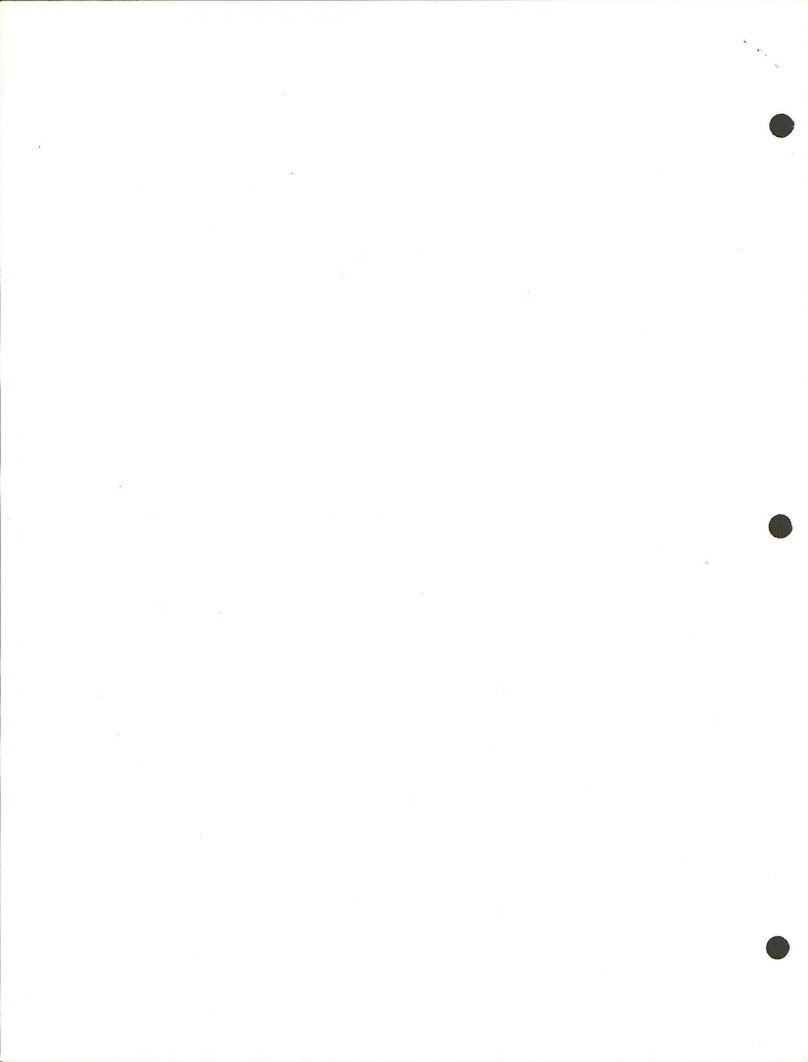
BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 84-1813, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

"84-1813. Tax to be collected on motor fuel, when. The state board of equalization shall under the provisions of rules and regulations issued by said board, collect from the owners or operators of motor vehicles a tax in an amount equal to nine cents (9¢) for each gallon of diesel fuel or other volatile liquid, of less than forty-six degrees (46°) A. P. I. (American Petroleum Institute) gravity test, when actually sold or used to produce motor power to propel motor vehicles upon the public highways or streets within the state of Montana."

Section 2. All acts or parts of acts in conflict herewith are hereby repealed.

Section 3. This act shall be in full force and effect from and after April 1, 1955.



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## STANDARD LICENSE PLATE AND DEALERS' PLATE

AN ACT TO AMEND SECTION 53-106, REVISED CODES OF MONTANA, 1947, AS AMENDED BY CHAPTER 111, LAWS OF MONTANA, 1951, AS AMENDED BY CHAPTER 29, LAWS OF MONTANA, 1953, AND SECTION 53-118, REVISED CODES OF MONTANA, 1947, RELATING TO NUMBER PLATES FOR MOTOR VEHICLES, DEALERS' LICENSES AND APPLICATIONS THEREFOR; PROVIDING FOR A NUMBER PLATE FOR MOTOR CARS SIX INCHES WIDE AND TWELVE INCHES IN LENGTH; PROVIDING FOR DISTINCTIVE NUMBER PLATES FOR NEW CAR DEALERS, FOR USED CAR DEALERS, FOR TRAILER AND SEMI-TRAILER DEALERS; PROVIDING FOR THE SEPARATE LICENSING OF NEW CAR DEALERS, USED CAR DEALERS AND TRAILER AND SEMI-TRAILER DEALERS; PROVIDING FOR THE USES OF DEALERS' LICENSES; PROVIDING THAT IF PART OF THIS ACT BE HELD UNCONSTITUTIONAL IT SHALL NOT AFFECT REMAINING PARTS OF ACT; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HERewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 53-106, Revised Codes of Montana, 1947, as amended by Chapter 111, Laws of Montana, 1951, as amended by Chapter 29, Laws of Montana, 1953, be, and the same is hereby amended to read as follows:

"53-106 (1757) NUMBER PLATES. (1) Every motor vehicle which shall be driven upon the streets or highways of this state shall display both front and rear a number plate, bearing the distinctive number assigned such vehicle by the Registrar of Motor Vehicles. Such number plate shall be in eight series: one series for owners of motor cars, one for owners of motor vehicles of the motorcycle type, one for trailers, one for trucks, one for dealers in vehicles of the motorcycle type, one for dealers in new motor cars (including trucks and trailers) or new and used motor cars (including trucks and trailers) which shall bear the distinctive letter "D", one for dealers in used motor cars only (including used trucks and trailers) which shall bear the distinctive letters "UD", and one for dealers in trailers and/or semi-trailers (new or used) which shall bear the distinctive letters "DTR". All number plates for motor vehicles shall be renewed annually, shall bear a distinctive marking each year, and shall be furnished by the state.

(2) In the case of motor cars, number plates shall be of metal six inches wide and twelve inches in length, and the word "Montana" with the year shall be placed across the bottom of the plate. The background of the plate shall be of a distinctive color each year, which color shall be designated by the Registrar of Motor Vehicles, provided he shall, in his discretion, choose to select permanent number or identification plates with a yearly insert plate or tab bearing the last two numbers of the year for which such license is issued and such insert plate or tab shall be serially numbered in the same manner as the numbered plates, and such permanent number or identification plates shall be made in such form and of such materials and of such color contrasts as The Registrar shall determine; provided further, that the Registrar may, in his discretion designate number or identification plates for any year as the proper means of identifying the vehicle for a subsequent

year or years, said plates to be validated by a windshield sticker of such size, color and design and displayed as he shall direct; such sticker shall bear a distinctive number and the registration period for which it is issued, after which period it shall be unlawful to further display same on the vehicle. The distinctive registration numbers shall begin with number one (1) and be numbered consecutively for each series of plates. The distinctive registration number assigned to the vehicle and the numeral or symbol for the county in which the number plate is issued shall appear on the plate. The dimensions of such numerals and the manner of placing the same on said number plates shall be determined by the Registrar of Motor Vehicles. For the use of dealers the number plates shall be essentially as those for motor cars and motorcycles, except that to the left of the serial number the plate shall contain the letters "D", "UD", or "DTR", such letters to be the same height and size as the figures composing the serial number.

(3) For the use of tax-exempt motor vehicles, in addition to the markings herein provided, number plates shall have thereon the following distinctive markings:

For vehicles owned by the state the Registrar of Motor Vehicles may designate the prefix number for the various state departments, and all numbered plates issued to state departments shall bear the words "State Owned" and no year number will be indicated thereon as these numbered plates will be of a permanent nature, and will be renewed by the Registrar of Motor Vehicles at such time when the physical condition of numbered plates requires same. For vehicles owned by the counties, municipalities and school districts and used and operated by officials and employees thereof in line of duty as such, there shall be placed on the number plates assigned thereto, in such position thereon as the Registrar may designate, the letter "X". Distinctive registration number for plates assigned to motor vehicles of each of the counties in the state and those of the municipalities and school districts situated within each of said counties shall begin with number (1) and be numbered consecutively.

(4) On all number plates assigned to motor vehicles of the truck and trailer type, other than tax-exempt trucks and trailers, there shall appear the letter "T" for plates assigned to trucks and the letters "TR" for plates assigned to trailers.

Number plates assigned to any motor vehicle shall be used only on the specific motor vehicle to which originally assigned.

(5) For the purpose of this act, the several counties of the state shall be assigned numbers as follows: Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Ferbus, 8; Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17; Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25; Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33; Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41; Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45;

Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield, 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56; any new counties shall be assigned number by the Registrar of Motor Vehicles as they may be formed, beginning with the number 57."

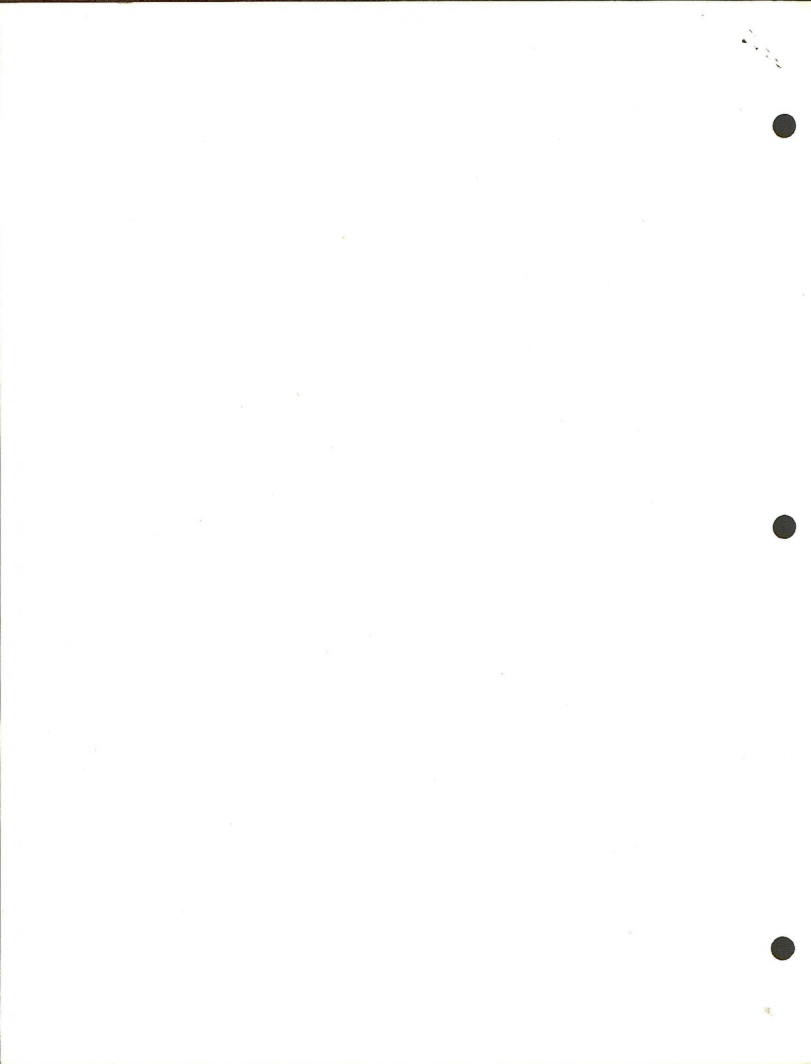
Section 2. That Section 53-118, Revised Codes of Montana, 1947, be, and the same is hereby amended to read:

"53-118 (1759.4) APPLICATION FOR DEALER'S LICENSE. Every dealer in new motor vehicles, used motor vehicles, trailers, semi-trailers, or automobile accessories shall cause to be filed, by mail or otherwise, in the office of the Registrar of Motor Vehicles, a verified application for registration as a dealer on a blank to be furnished by the Registrar for that purpose, and containing the information therein required. Each application must be accompanied by the registration fee hereinafter named. Dealers registration must be renewed and paid for annually, and an application for re-registration must be filed not later than January first of each year. Upon the registration of a dealer as a new motor vehicle dealer, used motor vehicle dealer, or trailer or semi-trailer dealer, the Registrar of Motor Vehicles shall assign to such dealer a distinctive serial registration number as a dealer and furnish every dealer in motor vehicles with not less than two (2) sets of number plates, and as many more as the fee the dealer pays entitles the dealer to, which number plates shall be similar to number plates furnished to owners of motor vehicles but shall bear thereon, in addition to the serial number assigned such dealer, the letter "D" if the dealer sells new motor vehicles (including trucks and trailers) or new and used motor vehicles (including trucks and trailers); the letters "UD" if the dealer sells used motor vehicles (including trucks and trailers) only; and the letters "DTR" if the dealer sells trailers and/or semi-trailers (new or used) only. Only new motor vehicle dealers' license plates bearing the letter "D" shall be assigned if both new and used motor vehicles (including trucks and trailers) are sold, and only one registration fee shall be required of any one dealer. Dealers of all classes are hereby prohibited from using or displaying dealer's license plates on any motor vehicle except those held for sale or used principally in the conduct of the dealer's business in selling, demonstrating or servicing. No dealer's license plate shall be used or displayed on vehicles normally used exclusively for hire or for purposes not incident to the business of a motor vehicle dealer. If it shall appear to the satisfaction of the Registrar of Motor Vehicles that any such dealer has used the dealer's license in a manner other than the one permitted above the Registrar of Motor Vehicles may revoke such dealer's license. Any dealer violating the provisions of this section shall be guilty of a misdemeanor and subject to a fine of not less than twenty-five (\$25.00) dollars and not more than one hundred (\$100.00) dollars.

Section 3. If any section, subdivision or sentence of this act is determined by a court of competent jurisdiction to be unconstitutional, it shall not affect the remaining portions of this act.

Section 4. All acts and parts of acts in conflict herewith are hereby repealed.

Section 5. This act shall be in full force and effect from and after July 1, 1955.



CHAPTER 250, LAWS OF MONTANA, 1955

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AMENDING SIZE AND WEIGHT RESTRICTIONS

AN ACT TO AMEND SECTION 32-1123, REVISED CODES OF MONTANA, 1947, AS AMENDED BY CHAPTER 73 OF THE SESSION LAWS OF MONTANA, 1953, RELATING TO UNIFORM STANDARDS GOVERNING THE MAXIMUM DIMENSIONS, WEIGHTS, AND SPEEDS OF MOTOR VEHICLES OPERATING OVER THE HIGHWAYS OF THE STATE OF MONTANA, AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT THEREWITH.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 32-1123, revised Codes of Montana, 1947, as previously amended by Section 1, Chapter 73 of the Session Laws of Montana, 1953, be amended to read as follows:

"32-1123. STANDARDS OF MAXIMUM DIMENSIONS, WEIGHTS, SPEEDS, ETC. The following standards are hereby made applicable to, and shall govern the maximum dimensions, weights and speeds of motor vehicles, and other characteristics and factors thereof, operating over the highways of, and in the State of Montana, to the exclusion of any other standards or any other requirements respecting the subject matter:

"(1) WIDTH - No vehicle, unladen or with load shall have a total outside width in excess of 96 inches; except busses which may have a total outside width not to exceed 102 inches, and such bus width shall be allowed only on paved highways 20 feet or more in width; provided, however, that this restriction does not apply to implements of husbandry moved or propelled upon the highway during daylight hours for a distance of not more than 50 miles, if the movement is incidental to the farming operations of the owner of the implement of husbandry; provided, further, that with respect to such implements of husbandry having a width in excess of twelve (12) feet, it shall be preceded and followed by flagmen escorts for the purpose of warning other highway users.

"(2) HEIGHT - No vehicle, unladen or with load, shall exceed a height of 13 feet, 6 inches.

"(3) LENGTH - (a) No single truck, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of 35 feet.

"(b) No single bus, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of 40 feet.

"(c) No combination of (1) truck-tractor and semitrailer, (2) truck and trailer, or other combination of vehicles shall consist of more than two units except that, at the discretion of the State Highway Commission, they may permit combinations of vehicles of not more than three units consisting of (3) tractor-semitrailer-semitrailer converted to full trailer by use of a dolly equipped with fifth wheel which shall be considered a part of the trailer for all purposes and not as a separate unit, or (4) tractor-semitrailer-full trailer, and no such com-

combination of vehicles, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of 60 feet, PROVIDED that when the combination consists of more than two units the rear unit of such combination shall be equipped with breakaway brakes.

"(d) No motor vehicle shall tow more than one motor vehicle and no motor vehicle shall draw more than two motor vehicles attached thereto by the dual saddlemount method, that is by mounting the front wheels of one vehicle on the bed of another leaving the rear wheels only of such vehicle in contact with the roadway, nor shall such combination have an overall length, inclusive of front and rear bumpers, in excess of 60 feet.

"(e) No passenger vehicle or truck of less than 2000 pounds "manufacturers' rated capacity" shall tow more than one trailer or semitrailer nor shall such combination have an overall length, inclusive of front and rear bumpers, in excess of 60 feet.

"(4) Speed - (a) Minimum speed. No motor vehicle shall be unnecessarily driven at such slow speed as to impede or block the normal and reasonable movement of traffic. Exception to this requirement shall be recognized when reduced speed is necessary for safe operation or when a vehicle or combination of vehicles is necessarily or in compliance with law or police direction proceeding at reduced speed.

"(b) Maximum speed. No truck shall be operated at a speed greater than 45 miles per hour. Passenger vehicles may be operated at such speeds as shall be consistent at all times with safety and the proper use of the roads.

"(c) Vehicles equipped with solid rubber on cushion tires shall be operated at a speed not in excess of 10 miles per hour.

"(5) Permissible loads - (a) No axle shall carry a load in excess of 18,000 lbs. An axle load shall be defined as the total load transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes 40 inches apart, extending across the full width of the vehicle.

"(b) The gross weight of any group of axles of any vehicle or combination of vehicles, when the distance between the first and last axles of any group of axles is 18 feet or less, and the gross weight of any vehicle when the distance between the first and last axles of all the axles of the vehicle is 18 feet or less, shall not exceed that set forth in the following table of weights:

Distance in feet between the first and last axles of any group of axles of any vehicle or combination of vehicles, or between the first and last axles of all of the axles of any vehicle

Maximum gross weight, in pounds, of any group of axles of any vehicle or combination of vehicles, or of any vehicle

5	32,000
6	32,200
7	32,900
8	33,600
9	34,300
10	35,000
11	35,700
12	36,400
13	37,100
14	43,200
15	44,000
16	44,800
17	45,600
18	46,400

"(c) The gross weight of any vehicle or combination of vehicles, where the distance between the first and last axles of the vehicle or combination of vehicles is more than 18 feet, shall not exceed that set forth in the following table of weights:

Distance in feet between  
the first and last axles  
of all of the axles of a  
vehicle or combination of  
vehicles

Maximum gross weight, in  
pounds, of any vehicle or  
combination of vehicles

18	46,400
19	47,200
20	48,000
21	48,800
22	49,600
23	50,400
24	51,200
25	55,250
26	56,100
27	56,950
28	57,800
29	58,650
30	59,500
31	60,350
32	61,200
33	62,050
34	62,900
35	63,750
36	64,600
37	65,450
38	66,300
39	67,150
40	68,000
41	68,000
42	68,000
43	68,000
44	68,000

45	68,000
46	68,800
47	69,600
48	70,400
49	71,200
50	72,000
51	72,800
52	73,600
53	74,400
54	75,200
55	76,000
56	76,400
57	76,800

"(d) The distance between axles shall be measured to the nearest foot. When a fractional measurement is exactly one-half foot the next larger whole number shall be used.

"(e) The maximum axle and axle group loads stated in paragraphs (a), (b) and (c) of clause (5) above are subject to reasonable reduction in the discretion of the state highway commission during periods when road subgrades have been weakened by water saturation or other causes. (Deleted matter - provided that the maximum limitations expressed in paragraphs (a), (b) and (c) of clause (5) shall not apply to the incidental and occasional use of such highways by vehicles not usually, or ordinarily engaged in highway use and employed primarily in agricultural or industrial uses other than on such highways.)

"(f) The operation of vehicles or combinations of vehicles having dimensions or weights in excess of the maximum limits herein recommended shall be permitted only if and when authorized by special permit issued by the state highway commission or its officers, supervisors or agents acting pursuant to duly delegated authority from said commission, including the state highway patrol."

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Section 3. This act shall be in full force and effect from and after July 1, 1955.

CHAPTER 251, LAWS OF MONTANA, 1955

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LEGALIZING 3-UNIT COMBINATIONS

AN ACT TO PROVIDE FOR PAYMENT OF GROSS VEHICLE WEIGHT TAXES ON POWER UNITS OF THREE UNIT COMBINATIONS OF VEHICLES INCLUDING THE TRAILERS TO BE DRAWN BY SUCH VEHICLES; PROVIDING FOR THE MARKING OF MOTOR VEHICLES AND TRAILERS SO REGISTERED; PROVIDING THAT SUCH VEHICLES SHALL COMPLY WITH ALL OTHER LICENSE AND FEE STATUTES; PROVIDING THAT THIS ACT SHALL NOT ALLOW WEIGHTS IN EXCESS OF AUTHORIZED AXLE WEIGHTS; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. In lieu of the gross weight fees provided in Section 1 of Chapter 219 of the session laws of 1951, as amended by Section 1 of Chapter 199 of session laws of 1953, or as subsequently amended (being Section 53-615 of the Revised Codes of Montana), the owner of any motor truck or truck tractor used or to be used on the highways of the State of Montana in connection with two trailers or semitrailers at the same time, as a three unit combination, shall register all such vehicles to be operated by such owner as three unit combinations, in the following manner:

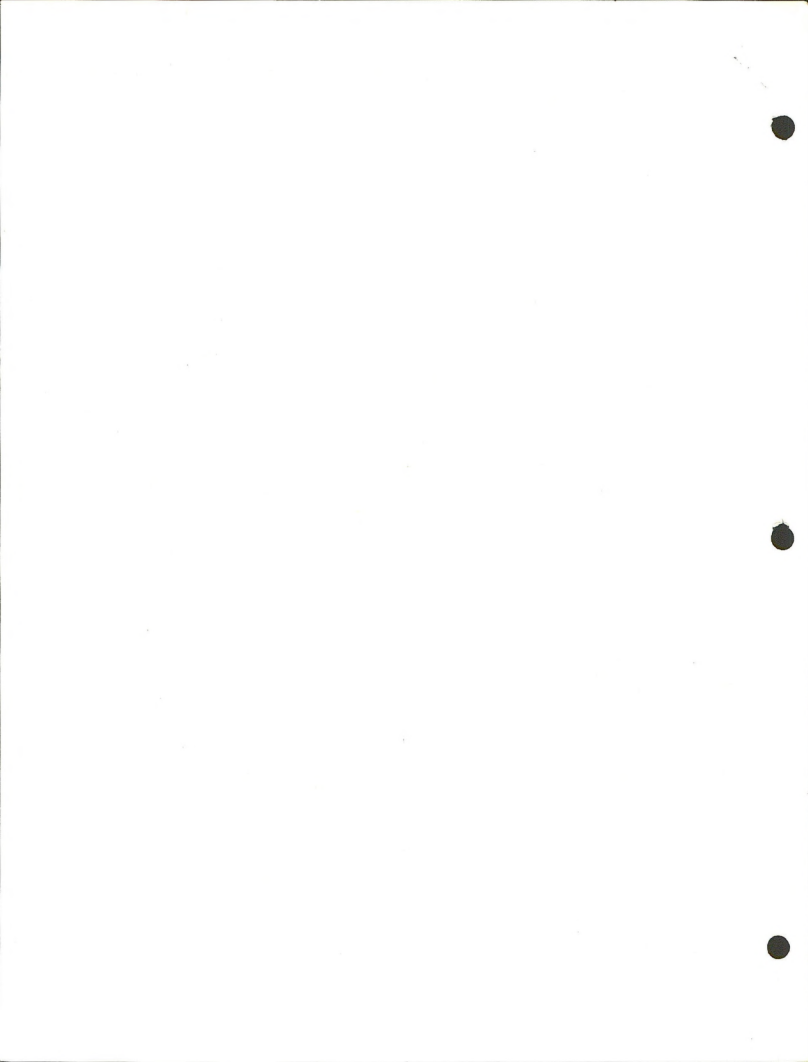
(1) By paying the registration and fees covering the maximum practical gross vehicle weight for such truck or truck-tractor, but not less than the actual operating gross weight under the provisions of Section 53-122, as amended, Section 53-615, as amended, and Section 53-114, as amended, and

(2) By registering such trailers in accordance with the provisions of Section 53-114, as amended, and 53-122, as amended, and by paying the gross vehicle weight fee prescribed for the maximum trailing load in accordance with the provisions of Section 53-615, as amended, on each two trailers, on the combined gross vehicle weight, computed as a single unit.

(3) Vehicles on which fees are paid in accordance with this provision shall be marked with a distinctive mark to be designated by the Highway Commission and the tractor or truck-tractor shall have marked thereon the total gross vehicle weight for which tax has been paid on the combined motive power and trailing load, but nothing herein shall be construed as authorizing axle loads in excess of those provided by Section 32-1123, as amended, of the Revised Codes of Montana, 1947.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after July 1, 1955.



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## PERMITS AND FEES FOR SIZE AND WEIGHT LAW

AN ACT TO AMEND SECTION 32-1127, REVISED CODES OF MONTANA, 1947, RELATING TO PERMITS FOR EXCESS SIZE AND WEIGHT, BY PROVIDING FOR DISCRETION OF ISSUER GRANTING SPECIAL PERMITS; BY PROVIDING FOR ISSUER TO LIMIT OR PRESCRIBE CONDITIONS OF OPERATION OF VEHICLE OR VEHICLES ON THE PUBLIC HIGHWAYS; BY PROVIDING FOR SPECIAL PERMIT FEES; BY PROVIDING THAT THE FEES SHALL BE REMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE STATE HIGHWAY GENERAL FUND; BY PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ACT; BY PROVIDING FOR DISPLAY OF PERMITS; BY PROVIDING THAT THE PERMITS MAY BE CONFISCATED FOR VIOLATIONS OF THIS ACT; PROVIDING FOR A HEARING THEREON BEFORE THE STATE HIGHWAY COMMISSION UPON APPLICATION; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HERewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 32-1127 of the Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

"32-1127. Permits for excess size and weight. The state highway commission, and local authorities in their respective jurisdiction, may, in their discretion, upon application in writing and good cause being shown therefor, issue a special permit in writing, authorizing the applicant to operate or move a vehicle of a size or weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the body granting the permit is responsible; provided, however, that no permits are to be issued for movement of vehicles carrying build-up or reducible loads in excess of nine (9) feet in width or exceeding the length, height, or weight specified in this act; provided, however, that no permits are to be issued for the moving of loads for any considerable distances over such highways when the loads in question are of such excess width that all traffic lanes upon the highway concerned would be blocked to the serious inconvenience of normal traffic; and further provided that no permits are to be granted for the moving of loads of such excess width that a hazard to traffic would be involved for any considerable distances over the highways concerned except to those applicants who carry public liability and property damage insurance for the protection of the traveling public as a whole. No permit shall be issued for a period of more than nine (9) months.

The applicant of any special permit shall specifically describe the vehicle or vehicles and load to be operated or moved, and the particular state highways for which permit to operate is requested and whether such permit is required for single trip or for continuous operation. All fees collected under this Act shall be forwarded to the state treasurer for deposit in the state highway general fund.

(a) Special permits - discretion of issuer - conditions. The state highway commission or local authority is authorized to issue or withhold such special permit at its discretion, or, if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicle described may be operated on the public highways indicated, or otherwise to limit or prescribe conditions of operation of such vehicle or vehicles when necessary to assure against damage to the road foundation, surfaces or structures or safety of traffic and may require such undertaking or other security as may be deemed necessary to compensate for injury to any roadway or road structure.

(b) Special permits - fees. The following fees, in addition to the regular license and gross vehicle weight fees, shall be paid for all movements under special permits on the public highways under the jurisdiction of the state highway commission:

Three dollars (\$3.00) for each permit issued in excess of the size and weight specified in this Act: provided, however, that term or blanket permits shall not be issued for overwidth loads in excess of fifteen (15) feet, overlength loads in excess of seventy (70) feet, and overheight loads in excess of a limit determined by the highway commission. Loads in excess of these dimensions will be limited to trip permits.

In addition to the three dollar (\$3.00) fee specified herein for overweight permits, there shall be charged (1) for single trip permits five dollars (\$5.00) for distances to and including one hundred (100) miles, fifteen dollars (\$15.00) for distances from one hundred one (101) to one hundred ninety nine (199) miles and twenty-five dollars (\$25.00) for distances over two hundred miles traveled, for such excess load over the gross allowable load specified in this section or the sum of the excess axle loads, whichever is greater.

(c) Special permits - misrepresentations and violations - penalty - display of permit. Any person who knowingly and wilfully misrepresents the size or weight of any load in obtaining a special permit or does not follow the requirements and conditions of the special permit or who operates any vehicle, the gross weight of which is in excess of the maximum for which such vehicle may be eligible for license, without first obtaining a special permit, is guilty of a misdemeanor.

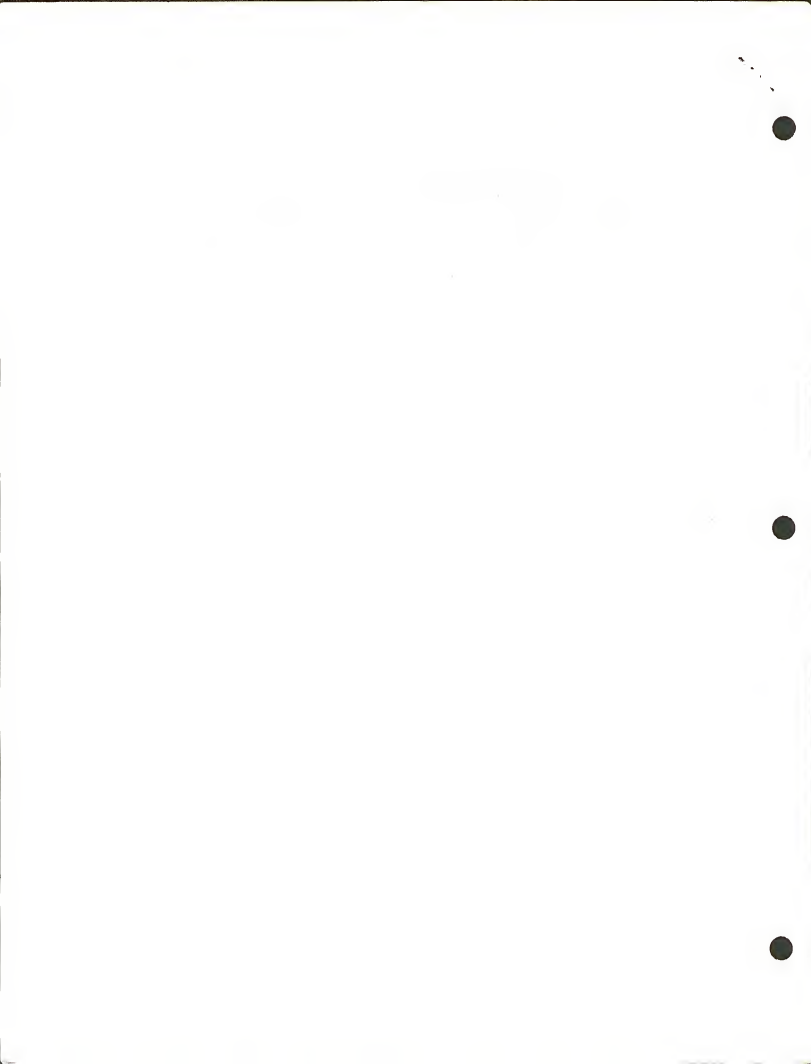
Every special permit issued hereunder shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any peace officer, officer of the Montana highway patrol, or employees of the maintenance department of the Montana highway commission.

A peace officer, officer of the Montana highway patrol, or employees of the maintenance department of the Montana highway commission who shall find any person operating a vehicle in violation of the conditions of a special permit issued hereunder may confiscate such permit and forward the same to the state highway commission which may return it to the permittee or revoke, cancel, or suspend it without refund. The state highway commission

shall keep a record of all action taken upon permits so confiscated and if a permit shall be returned to the permittee, the action taken by the commission shall be endorsed thereon. Any permittee whose permit is suspended or revoked may, upon request, receive a hearing before the commission or person designated by the commission. The commission, after such hearing, may reinstate any permit or revise its previous action."

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after July 1, 1955.



CHAPTER 256, LAWS OF MONTANA, 1955

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CHANGING ASSESSMENT DATES FOR DEALERS

AN ACT TO AMEND SECTION 53-114, OF THE REVISED CODES OF MONTANA, 1947, AND SECTION 84-406 OF THE REVISED CODES OF MONTANA, 1947, PROVIDING THAT MOTOR VEHICLES HELD FOR SALE IN THE STOCK OF ANY DULY LICENSED MOTOR VEHICLE DEALER OR USED MOTOR VEHICLE DEALER SHALL BE ASSESSED AS MERCHANDISE AS OF THE FIRST MONDAY IN MARCH OF EACH YEAR IN THE SAME MANNER AS OTHER MERCHANDISE; PROVIDING THAT WHOLLY NEW AND UNUSED MOTOR VEHICLES ACQUIRED BY ORIGINAL CONTRACT AFTER THE FIRST DAY OF JANUARY SHALL BE SUBJECT TO THE MOTOR VEHICLE SALES TAX PROVIDED IN SECTION 53-617, REVISED CODES OF MONTANA, 1947, WHETHER OR NOT SUCH VEHICLES WERE WITHIN THE STATE OF MONTANA ON THE FIRST DAY OF JANUARY; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HERewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 53-114, Revised Codes of Montana, 1947, as amended by Chapter 195, Laws of 1953, be, and the same is hereby amended to read:

"Section 53-114. (1759) APPLICATION FOR REGISTRATION OF MOTOR VEHICLES AND PAYMENT OF LICENSE FEES THEREON - ASSESSMENT OF MOTOR VEHICLES IN THE STOCK OF LICENSED MOTOR VEHICLE DEALERS AS MERCHANDISE - PROPORTIONAL REGISTRATION OF FLEETS OF VEHICLES ENGAGED IN INTERSTATE COMMERCE.

(1) Every owner of a motor vehicle operated or driven upon the public highways of this state shall, for each motor vehicle owned, except as herein otherwise expressly provided, file, or cause to be filed, in the office of the county treasurer wherein such motor vehicle is owned or taxable, an application for registration, or re-registration, upon blank form to be prepared and furnished by the registrar of motor vehicles, executed in quintuplet, which application shall contain:

"(a) Name and address of owner, giving county, school district, and town or city within whose corporate limits the motor vehicle is taxable.

"(b) Name and address of conditional sales vendor, mortgagee or holder of other lien against said motor vehicle, with statement of amount owing under such contract or lien.

"(c) Description of motor vehicle, including make, year model, engine and serial number, manufacturer's model or letter, gross weight, type of body and, if truck, the rated capacity.

"(d) In case of re-registration, the license number for the preceding year.

"(e) Such other information as the registrar of motor vehicles may require.

"(2) Before filing such application with the county treasurer, the applicant shall submit the same to the county assessor of said county and said county assessor shall enter on said application in a space to be provided for that purpose, the full and true and the assessed valuation of said vehicle for the year for which said application for registration is made.

"(3) The applicant shall, upon the filing of said application (1) pay to the county treasurer the registration fee, as provided in section 53-122, section 1, Chapter 219, Laws of 1951, and section 53-115, and shall also at such time (2) pay the personal property taxes assessed against said vehicle for the current year of registration (unless the same shall have been theretofore paid for said year) before the application for registration or re-registration may be accepted by the county treasurer. The county treasurer is hereby empowered to make full and complete investigation of the tax status of said vehicle and any applicant for registration or reregistration must submit proof with respect thereto from the tax records of the proper county at the request of the county treasurer.

"(4) The amount of taxes on said motor vehicle shall be computed and determined by the county treasurer on the basis of the levy of the year preceding the current year of application for registration or reregistration and such determination shall be entered on the application form in a space provided therefor.

"(5) Motor vehicles, except as hereinafter provided, are hereby declared to be assessable for taxation as of and on the first day of January in each year irrespective of the time fixed by law for the assessment of other classes of personal property, and irrespective of whether or not the levy and tax may be a lien upon real property within the State of Montana, provided that in no event shall any motor vehicle be the subject of assessment, levy and taxation more than once in each year, and provided, further, that new motor vehicles, and used motor vehicles which have not previously been assessed and licensed during the current year, when held for sale in the stock of any duly licensed motor vehicle dealer or used motor vehicle dealer, are hereby declared to be merchandise and shall be assessed as of the first Monday in March in each year in the same manner as other stocks of merchandise.

"(6) The applicant for original registration of any wholly new and unused motor vehicle acquired by original contract after the first day of January of any year, shall be required, whenever such vehicle has not been otherwise assessed, to pay the Motor Vehicle Sales Tax provided by section 53-617, Revised Codes of Montana, 1947, irrespective of whether or not such vehicle was in the State of Montana on the first day of January of such year.

"(7) Upon accepting application for registration or re-registration of any motor vehicle which is subject to taxation in this state on January First in any year, and upon payment of taxes, the county treasurer shall stamp on said application: "Taxes on this vehicle due January First of current year paid by applicant, prior applicant or owner and this vehicle is

eligible for registration."

Upon accepting application for registration of any motor vehicle which was not subject to taxation in this state on January 1st in any year, the county treasurer shall indicate such fact by proper entry on said application; and in case such motor vehicle shall have been assessed for taxation as a part of the stock of merchandise of a licensed dealer, the county treasurer shall indicate such fact by proper entry on said application, and the applicant for registration shall not be required to pay the personal property tax on any motor vehicle so assessed as merchandise.

"(8) The registrar of motor vehicles shall have authority to make proper entry on any certificate of title to any motor vehicle respecting payment of taxes in accord with the fact.

"(9) (a) Any owner engaged in operating fleets of two or more vehicles in this state in interstate commerce may, in lieu of registration of such vehicles under the general provisions of this act, register and license such fleet for operation in this state by filing a sworn application with the registrar of motor vehicles, and filing a duplicate copy of said statement with the county treasurer or county treasurers of the proper counties or registration, declaring the total mileage operated by such vehicles in all states and in this state during the preceding calendar year and describing and identifying each such vehicle to be operated in this state during the ensuing license year. Such statement shall also designate a sufficient number of certain vehicles to be registered and licensed under this section to produce total fee payments not less than an amount obtained by applying the proportion of in-state fleet miles to total fleet miles, as reported in said statement, to the fees which would otherwise be required for total fleet registration in this state. The registrar of motor vehicles shall thereupon notify the proper county treasurer or county treasurers of the designated vehicles to be licensed, who, on payment of proper fees, will issue the licenses, and the registrar of motor vehicles shall upon payment of a fee of one dollar for each said vehicle, issue a distinctive sticker for each other vehicle named in said statement identifying it as an interstate fleet which shall be exempt from all further license and weight fee requirements of this state, which may be specified in Title 53 of this code, as amended, provided, that each of such vehicles is properly and duly licensed and registered in some other state, district, possession or territory of the United States or some foreign province, state or country. The proportional registration and licensing provisions of this section shall apply to vehicles added to said fleet and operated in this state during the license year. Montana operators electing to register an interstate fleet shall comply with all requirements of this section relating to the payment of property taxes on his entire fleet. The right of out-of-state operators to proportional registration hereunder shall be subject to the terms and conditions of any reciprocity agreement or declaration made and filed by the registrar of motor vehicles under the provisions of section 53-129, as herein amended.

"(b) Mileage proportions for interstate fleets not operated in this state during the preceding year will be determined by the registrar of motor

vehicles upon the sworn application of the applicant on forms to be supplied by the registrar of motor vehicles, which will show the operations of the preceding year in other states and the estimated operation in Montana or if no operations were conducted the previous year a full statement of the proposed method of operation.

"(c) Any owner complying with and being granted proportional registration shall preserve the records on which the application is made for a period of four full years following the year upon which said application is based. Upon request of the registrar of motor vehicles, the owner agrees to make such records available to the registrar of motor vehicles at his office for audit as to accuracy of computation and payments, or to pay the costs of an audit by the registrar of motor vehicles or his duly appointed representative at the home office of the owner. If by audit, it is determined that the owner should have registered more vehicles in Montana under provisions of this paragraph, the registrar of motor vehicles may deny such owner the right of any further benefits by reason of any reciprocal agreement or declaration until the fees for such additional vehicle or vehicles which should have been registered are paid to the registrar of motor vehicles. All license fees which should have been paid under the provisions of this paragraph shall be a lien upon all the property of the owner and such lien shall attach at the time the license fees shall be determined by the registrar of motor vehicles and shall have the effect of an execution duly levied on such property of the owner and shall so remain until said additional fees, so determined are paid or the property sold for the payment thereof."

Section 2. That Section 84-406, Revised Codes of Montana, 1947, be, and the same is hereby amended to read:

"Section 84-406. (2002) WHEN ASSESSMENT TO BE MADE - CREDITS MUST BE ASSESSED, HOW - ASSESSMENT OF MOTOR VEHICLES. (1) The assessor must, between the first Monday of March and the second Monday of July in each year, ascertain the names of all taxable inhabitants, and assess all property in his county subject to taxation, except such as is required to be assessed by the state board of equalization, and must assess such property to the persons by whom it was owned or claimed, or in whose possession or control it was at twelve o'clock M. on the first Monday of March next preceding, except that such procedure shall not apply to motor vehicles which are not a part of the stock or merchandise of a licensed dealer and which are required by subdivision (2) hereof to be assessed as of the first day of January; but no mistake in the name of the owner or supposed owner of real property renders the assessment thereof invalid. Credits must be assessed as provided in section 84-101, subdivision 6.

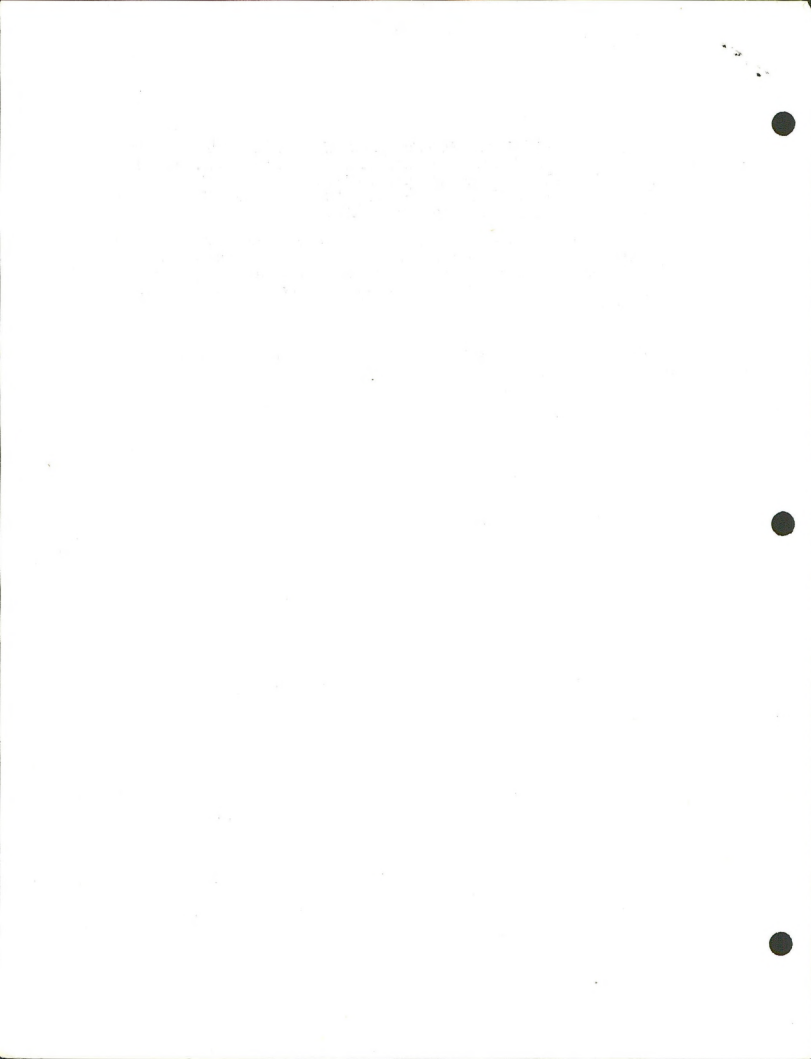
"(2) The assessor must ascertain and assess all motor vehicles in his county subject to taxation as of January 1st in each year, and the same shall be assessed to the persons by whom owned or claimed, or in whose possession or control such vehicle was at twelve o'clock M. on the first day of January in each year, save and except that motor vehicles held for sale in the stock of any duly licensed motor vehicle dealer, shall be assessed as merchandise to such licensed dealer by whom the same were owned or claimed, or in whose possession or control the same were held at twelve o'clock M.

of the first Monday of March in each year, and at the time such motor vehicles are assessed as merchandise each licensed dealer shall file with the assessor a description of each motor vehicle so assessed, including the make, year model, engine and serial number, manufacturer model or letter, gross weight, and, with respect to trucks, the rated capacity thereof.

"Nothing herein contained shall relieve the applicant for registration or re-registration of any motor vehicle so assessed or subject to assessment of the duty of paying taxes thereon as a condition precedent to registration or re-registration in the event said taxes have not been paid by any prior applicant or owner in all cases where required to be paid."

Section 3. All acts and parts of acts in conflict herewith are hereby repealed.

Section 4. This act shall be in full force and effect from and after July 1, 1955.



CHAPTER 258, LAWS OF MONTANA, 1955

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AMENDMENTS TO THE GROSS VEHICLE WEIGHT TAX LAW

EFFECTIVE - JANUARY 1, 1956

AN ACT TO AMEND SECTION 1, CHAPTER 219, LAWS OF 1951, AS AMENDED BY SECTION 1, CHAPTER 139, LAWS OF 1953, RELATING TO A FEE ON TRUCKS, TRAILERS, SEMI-TRAILERS, HOUSE TRAILERS AND BUSES OPERATING OVER AND UPON THE HIGHWAYS OF THE STATE OF MONTANA; PROVIDING FOR CERTAIN EXEMPTIONS AND PROVIDING FOR THE RATE OF SUCH TAX BY INCREASING THE RATE OF TAX ON TRUCKS, TRACTORS AND SEMITRAILERS; BY DELETING THE CLASS A FEE ON TRUCKS, TRAILERS AND SEMI-TRAILERS WHICH TRAVEL MORE THAN TWENTY-FOUR THOUSAND (24,000) MILES ON THE HIGHWAYS OF THE STATE OF MONTANA WITHIN THE CALENDAR YEAR; PROVIDING FOR AN ADDITIONAL FEE OF FIFTY DOLLARS (\$50.00) FOR EACH TWO THOUSAND (2,000) POUNDS, OR FRACTION THEREOF, ON TRUCKS, TRAILERS AND SEMITRAILERS HAULING IN EXCESS OF FORTY-TWO THOUSAND (42,000) POUNDS; PROVIDING FOR QUARTERLY LICENSE ON ANY VEHICLE EXCEEDING TWENTY-FOUR THOUSAND (24,000) POUNDS AND PROVIDING FOR A PENALTY ON VEHICLES WHICH ARE IN VIOLATION OF THE QUARTERLY LICENSE PROVISION; PROVIDING FOR THE EFFECTIVE DATE OF THIS ACT; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. That Section 1, Chapter 219, Laws of 1951, as amended by Section 1, Chapter 139, Laws of 1953, be, and the same is hereby amended to read as follows:

"Section 1. In addition to other fees for the licensing of vehicles, there shall be paid and collected annually for each motor truck and truck tractor, based upon the maximum gross loaded weight thereof as set by the licensee in his application, the following fees:

SCHEDULE I:

*New Schedule*

Up to 6,000 lbs.	\$ 6.00
6,001 lbs. or more, and less than 8,000 lbs.	10.00
8,001 lbs. or more, and less than 10,000 lbs.	14.00
10,001 lbs. or more, and less than 12,000 lbs.	16.00
12,001 lbs. or more, and less than 14,000 lbs.	18.00
14,001 lbs. or more, and less than 16,000 lbs.	22.00
16,001 lbs. or more, and less than 18,000 lbs.	30.00
18,001 lbs. or more, and less than 20,000 lbs.	40.00
20,001 lbs. or more, and less than 22,000 lbs.	50.00
22,001 lbs. or more, and less than 24,000 lbs.	75.00
24,001 lbs. or more, and less than 26,000 lbs.	<u>100.00</u>
26,001 lbs. or more, and less than 28,000 lbs.	<u>125.00</u>
28,001 lbs. or more, and less than 30,000 lbs.	<u>165.00</u>
30,001 lbs. or more, and less than 32,000 lbs.	<u>210.00</u>
32,001 lbs. or more, and less than 34,000 lbs.	<u>255.00</u>

34,001 lbs. or more, and less than 36,000 lbs.	\$ 300.00
36,001 lbs. or more, and less than 38,000 lbs.	345.00
38,001 lbs. or more, and less than 40,000 lbs.	390.00
40,001 lbs. or more, and less than 42,000 lbs.	435.00

In addition to other fees for the licensing of vehicles, there shall be paid and collected annually for each trailer and semitrailer, based upon the maximum gross loaded weight described above, and as set by the licensee in his application except as otherwise provided in this act the following fee:

#### SCHEDULE II:

##### Trailers Other Than House Trailers.

Up to 2,500 lbs. for personal Use	Exempt
Up to 2,500 lbs. for commercial use	3.50
2,501 lbs. or more, and less than 6,000 lbs.	4.50
6,001 lbs. or more, and less than 8,000 lbs.	12.00
8,001 lbs. or more, and less than 10,000 lbs.	14.00
10,001 lbs. or more, and less than 12,000 lbs.	16.00
12,001 lbs. or more, and less than 14,000 lbs.	18.00
14,001 lbs. or more, and less than 16,000 lbs.	22.00
16,001 lbs. or more, and less than 18,000 lbs.	30.00
18,001 lbs. or more, and less than 20,000 lbs.	40.00
20,001 lbs. or more, and less than 22,000 lbs.	50.00
22,001 lbs. or more, and less than 24,000 lbs.	75.00
24,001 lbs. or more, and less than 26,000 lbs.	100.00
26,001 lbs. or more, and less than 28,000 lbs.	125.00
28,001 lbs. or more, and less than 30,000 lbs.	165.00
30,001 lbs. or more, and less than 32,000 lbs.	210.00
32,001 lbs. or more, and less than 34,000 lbs.	255.00
34,001 lbs. or more, and less than 36,000 lbs.	300.00
36,001 lbs. or more, and less than 38,000 lbs.	345.00
38,001 lbs. or more, and less than 40,000 lbs.	390.00
40,001 lbs. or more, and less than 42,000 lbs.	435.00

In addition to other fees for the licensing of vehicles, there shall be paid and collected annually for each house trailer, based upon over-all length of body as set by the licensee in his application, except as otherwise provided in this act, a fee equal to fifty cents (50¢) for each foot of over-all trailer body length, exclusive of bumpers and hitch.

Provided, that in addition to the fees provided for in schedules I and II of this act, for each motor truck, truck tractor, trailer, or semitrailer hauling loads in excess of forty-two thousand (42,000) pounds and within the weight limits specified in Section 32-1123, Revised Codes of Montana, 1947, as amended by Section 1, Chapter 73, Laws of 1953, and all other amendments thereto, there shall be collected a fee of fifty dollars (\$50.00) for each two thousands (2,000) pounds, or fraction thereof.

Provided, that in lieu of the additional fee provided in this section there shall be collected a fee of five dollars (\$5.00) on any motor truck, truck tractor, trailer or semi-trailer used only for the purpose of transporting any air compressor, rock crusher, conveyor, hoist, wrecker, donkey engine, cook house, tool house or bunk house attached to or made a part of such motor truck, trailer or semitrailer.

Provided further, on motor trucks, trailers and semitrailers, owned and operated by ranchers or farmers in the transportation of their own ranch, farm, orchard, or dairy products from point of production to market, or of supplies, commodities, or equipment to be used on the ranch, farm, orchard, or dairy, or in the infrequent or seasonal transportation by one farmer for another for any purpose other than commercial hire of products of the farm, orchard or dairy, or of supplies or commodities to be used on the farm, orchard or dairy, except motor trucks owned and operated by cooperative associations or cooperative marketing associations, shall be paid and collected annually a fee equal to twenty percent (20%) of the fees provided in schedule I and schedule II above; provided, however, the minimum fee under schedule I and schedule II shall be four dollars (\$4.00). The terms 'trailers and semitrailers' as used herein shall not include farm wagons.

Provided further, that there shall be paid and collected annually a fee equal to seventy-five per cent (75%) of the fees provided in Schedule I and Schedule II above on motor trucks, trailers and semitrailers, used exclusively in hauling livestock, logs, ready-mix concrete and pole trailers and on 'low-boy trailers'; used exclusively for the hauling of equipment and on tractors permanently attached to such 'low-boy trailers'.

When the gross weight license fee applied for on any vehicle exceeds twenty-four (24,000) pounds, licenses for motor trucks, trailers, tractors, pole trailers, or semitrailers may be purchased for a three-months period for one-fourth (1/4) the regular fee at the beginning of any quarter of the calendar year. For each fee so paid other than at the time of payment of the basic license fee, an additional fee of one dollar (\$1.00) shall be charged. The state highway commission is authorized to establish rules and regulations relative to the issuance and display of certificates or insignia, which shall state the quarters for which the vehicle is licensed.

No vehicle licensed under the provisions of this section shall be operated over the public highways unless the owner and/or operator thereof within ten (10) days after the expiration of any such three-month period apply for, and pay the required fee for, a license for an additional three-month period, or for the remainder of the year. Any person who operates any such vehicle upon the public highways after the expiration of said ten (10) days, shall be guilty of a misdemeanor, and in addition shall be required to purchase a gross weight license for the vehicle involved at the fee covering an entire year's license for operation thereof, less the fees for any period or periods of the year already paid. If, within five (5) days thereafter, no license for a full year has been purchased as required aforesaid, the Montana highway patrol, county sheriff or city police shall impound such vehicle in such manner as may be directed for such cases by

the supervisor of the Montana highway patrol, until such requirement is met.

Provided further, that there shall be paid and collected annually for each bus or auto stage with the exception of school busses the sum of seven dollars (\$7.00) per seat exclusive of the first seven (7) seats and the operator, for the maximum adult seating capacity thereof; provided further, that motor vehicles which are regularly used to haul freight and passengers shall be taxed upon the basis of the gross weight schedule hereinabove established; provided further, that school busses shall not be exempt if they enter charter service."

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after January 1, 1956.

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